



December 20, 2024

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# Robertson

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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.

Sincerely,

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# Robertson



Robertson County Courthouse

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# Chapter I - Administration

## Audit

### Private Acts of 1943 Chapter 64

**SECTION 1.** That the Quarterly County Court of counties in the State of Tennessee with a population of not less than Twenty-nine Thousand and Forty (29,040) nor more than Twentynine Thousand and Fifty (29,050) according to the Federal Census of 1940 or any subsequent Federal Census, shall provide by proper resolution that an audit be made of all funds, offices, departments, institutions and agencies of said county each year by a certified public accountant who is licensed to practice accounting in the State of Tennessee. The Quarterly County Court shall provide by resolution the method of contracting for such audits and shall appropriate from the County General Fund each year a sum sufficient to pay for such annual audit. Each annual audit shall cover the County's fiscal year which shall be the period from July 1st in each year to June 30th of the following year. The Quarterly County Court shall require that the records of the various offices, departments, institutions and agencies, shall be checked by the Auditor at such time or times during the fiscal year as is necessary to verify the handling of all funds by the various officials, agents, and employees.

**SECTION 2.** That the audits required by this Act shall include a check and verification of the handling of all revenues or other funds, including trust funds, which are collected, received, held or disbursed by the county judge, county trustee, county court clerk, clerk and master, circuit court clerk, clerk of general sessions court, county register, county sheriff, county engineer, county superintendent of schools, superintendent of the county hospital and each other official, agent or employee of the county government. Each official heretofore referred to in this section and each other official, agent or employee of the county, shall make available to the Auditor all their records, statements, reports and files which the Auditor may request of them incident to making the audits required by this Act.

**SECTION 3.** That the Quarterly County Court shall require that a report be prepared by the Auditor for each fiscal year, showing the findings of the audit, including statements of the financial condition and operation of the county and each fund thereof and the condition of the budget. Said report shall be presented to the Quarterly County Court at the next regular session of said court after its completion. One copy shall be filed in the office of the county court clerk where it shall be available for examination by the members of the Quarterly County Court, the citizens of the County and any other interested person. A summary of each annual audit report shall be published by the County Judge in a newspaper having general circulation in Robertson County, and the cost of such publication shall be paid from the general fund of the county.

**SECTION 4.** That any official named in this Act or any other officials, agent or employee of the county who shall fail or refuse to perform the duties required by him by this Act or who shall otherwise fail or refuse to conform to the provisions of this Act shall be guilty of a misdemeanor and shall be subject to a fine of not more than Fifty Dollars and to removal from office.

**SECTION 5.** That in the event any section, sentence, clause, phrase or work of this Act shall be held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or invalidate the remainder of this Act. The General Assembly hereby declares that it treats each and every section, sentence, clause, phrase and work of this Act as severable, and that it would have enacted this Act with any invalid or unconstitutional part thereof omitted.

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

Passed: January 18, 1943.

## Budget System

## Division of Accounts

### Private Acts of 1943 Chapter 65

**SECTION 1.** That there is hereby created a Division of Accounts in the office of the County Judge of Robertson County, Tennessee. In the division of Accounts there shall be maintained a system of central accounting, which system shall include such records and procedures as are required to reflect the assets, liabilities, income and expenditures of each fund of the County and together with such other records and

accounts as are necessary to reflect the operations and conditions of all funds, departments, divisions, institutions, offices and agencies of the county government. The records of the county highway department shall be kept as a part of the central accounting system. As a part of the central accounting system there shall be maintained such records, accounts and files as are necessary to record and control the transactions relating to the budget and to show the expenditures and encumbrances against each item of appropriation and to otherwise facilitate the execution of the budget.

**SECTION 2.** That the County Judge is hereby authorized to employ a person who is skilled and experienced in bookkeeping or accounting to serve as county accountant and to keep the records of the central system of accounting. Said County Accountant shall hold office at the pleasure of the county judge. The salary of the County Accountant shall be paid from the general fund of the county and shall be in such amount as is provided by the quarterly county court. The County Accountant shall furnish such bond as is required of him by the county judge and the premium on said bond shall be paid from the general fund of the county.

**SECTION 3.** That it shall be the duty of the County Accountant to post and otherwise keep the records of the central accounting system, verify all bills and claims against the county before payment, to check the settlements and reports of the various officials and department heads of the county government and to prepare disbursement warrants on all funds of the county except those for which warrants are issued by the county board of education. The County Accountant shall at the end of each month prepare a report in such form as is necessary to provide complete information as to the financial condition and operations and the budget transactions of the county and of each fund, department, institution, office and agency thereof. The latest such report shall be presented by the county judge to the quarterly county court at each of its regular sessions. The County Accountant shall perform such other duties as may be required by the county judge or the quarterly county court.

**SECTION 4.** That salaries, bills, accounts and other obligations of the county schools, shall be paid upon disbursement warrants issued by the county board of education and countersigned by the county judge. Expenditures on all other funds of the county, except school funds, shall be made upon disbursement warrants signed by the county judge.

**SECTION 5.** That the County Trustee, Clerk and Master, County Court Clerk, Circuit Court Clerk, Superintendent of the County Hospital, Superintendent of Schools, County Engineer and each other official, agent and employee of the county who collects, receives, holds or disburses revenue or other funds of the county or any of its funds, departments, institutions, offices or agencies, shall report to the county judge at the end of each month the amount of such funds collected, received and/or disbursed during the month in such form as the county judge may prescribe. Each official, heretofore referred to in this section, other than the county trustee, who collects or receives funds of the county or of any department, institution or agency thereof shall pay over such funds to the county trustee promptly after the close of the month during which said funds were collected. Each official, agent and employee of the county shall provide such other information which may be required to properly maintain the central accounting system, in such form and at such time or times as may be prescribed by the county judge. The records of all departments, offices, institutions and agencies of the county shall be made available by the respective officials and employees, for examination by the county judge or the county accountant upon his request.

**SECTION 6.** That any official named in this Act or any other official, agent or employee of the county who shall fail or refuse to perform the duties required of him by this Act or who shall otherwise fail or refuse to conform to the provisions of this act shall be guilty of a misdemeanor and shall be subject to a fine of not more than fifty dollars and to removal from office.

**SECTION 7.** That in the event any section, sentence, clause, phrase or work of this act shall be held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or invalidate the remainder of the Act. The General Assembly hereby declares that it treats each and every section, sentence, clause, phrase and work of this Act as severable, and that it could have enacted this Act with any invalid or unconstitutional part thereof omitted.

**SECTION 8.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: January 18, 1943.

## Private Acts of 1943 Chapter 66

**SECTION 1.** That there is hereby created a Budget Committee for Robertson County, Tennessee. Said Committee shall consist of three members, one of whom shall be the County Judge and the other two members of the Quarterly County Court. The County Judge shall be chairman of said Budget Committee. The two elective members of the Budget Committee shall be nominated by the County Judge, and elected

by the Quarterly County Court in each year. The two elective members of the Committee shall serve for a period of one year and until their successors are appointed. The Quarterly Court may, in its discretion, allow the members of said Budget Committee such compensation for their services as said Court may deem proper.

**SECTION 2.** That there is hereby established a fiscal year for Robertson County and for each office, department, division, institution and agency thereof, which fiscal year shall begin on the first day of July each year and end on the 30th day of June of the following year. Said fiscal year shall constitute the budget year and the year for accounting and reporting of each and every office, department, division, institution and agency of the county.

**SECTION 3.** That the County Engineer shall, on or before the first day of April of each year, file with the Budget Committee an itemized statement of the funds which he estimates to be necessary for the construction, maintenance, upkeep and operation of the roads and bridges in Robertson County, together with an estimate of the revenues to be received in cash, during the fiscal year commencing on the first day of July following the making of said report.

The Robertson County Board of Education shall, on or before the first day of April of each year, file with the Budget Committee, an itemized statement of the funds which said Board estimates to be necessary for the improvement, administration, operation, maintenance and other expenses of the schools of Robertson County, together with an estimate of the revenues to be received in cash, during the fiscal year commencing on the first day of July following the making of said report.

The County Judge shall, on or before the first day of April of each year, file with the Budget Committee, an itemized statement of the amounts which he estimates necessary to be expended from the County General Fund, the Debt Service Fund and from each other County fund, exclusive of the funds of the Departments of Highways and Schools, together with an estimate of the revenue to be received, in cash in each fund, during the fiscal year commencing on the first day of July following the making of said report, and also a statement of the cash surplus or cash deficit which is estimated to be in each fund of the County at the beginning of the next succeeding fiscal year.

It shall be the duty of each official, department head, agent and employee of the County to furnish in writing such other information as may be requested by the Budget Committee. The statements required by this section shall be presented in such form as may be prescribed by the Budget Committee.

**SECTION 4.** That at least forty-five (45) days prior to the beginning of each fiscal year, the Budget Committee shall prepare the annual budget. Said budget shall contain an itemized and classified plan of all proposed expenditures and estimated receipts for the ensuing fiscal year. Opposite each item of estimated revenue the budget shall show in separate parallel columns the amounts actually collected for the last completed fiscal year and the amount estimated for the current fiscal year. Opposite each item of proposed appropriation the budget shall show in separate parallel columns the amount expended for the last completed fiscal year and the amount estimated to be expended for the current fiscal year. In preparing the budget, the Budget Committee may alter or revise, as it deems necessary, the estimates or requests made by the various officials, department heads and agents of the County, provided, that the Budget Committee shall fully provide in the budget for interest, principal and sinking funds on debt and for any cash deficit existing at the beginning of the fiscal year. The Budget Committee shall prepare the budget, in all particulars, in accordance with the requirements of Chapter 300 of the Public Acts of 1937 and especially Section fifteen (15) of that Act or any amendment thereto.

**SECTION 5.** That on or before May 25th of each year the Budget Committee shall have a synopsis of the budget, and a statement of the tax rate required to finance the budget, published in a newspaper having general circulation in Robertson County. Said publication shall have notice of a public hearing to be conducted by said Budget Committee at which any citizen of the County shall have the right to appear and state his views on the budget. Provided, that such public hearing shall be held by the Budget Committee not later than thirty days prior to the beginning of the fiscal year covered by the budget.

**SECTION 6.** That at least three weeks prior to the beginning of the fiscal year, and after the public hearing on the budget has been held, the Budget Committee shall deliver the budget to the State Director of Local Finance. The Budget Committee shall make such revisions in the budget as may be required by the State Director of Local Finance in order to make the budget comply with the provisions of Chapter 300 of the Public Acts of 1937. The Budget Committee shall do all things necessary for the county to comply fully with the provisions of Section seventeen (17) of said Chapter 300.

**SECTION 7.** That the Budget Committee shall present the budget to the Quarterly County Court at the regular session of said Court in July of each year. The budget shall be accompanied by a budget message from the Budget Committee explaining the financial program and outlining the services, work and activities to be financed by the budget. With the budget, the budget Committee shall deliver to the

Quarterly County Court a Budget Appropriation or revise the budget as provided in Section fifteen (15) of Chapter 300, Public Acts of 1937, but the Quarterly County Court shall finally adopt a budget not later than the fifteenth day of July of each year. The Budget Appropriation Resolution, as finally adopted by the Quarterly County Court, shall comply fully with the provisions of Section fifteen (15) of Chapter 300, Public Acts of 1937. The tax levy resolution, as finally adopted by the Quarterly County Court, shall comply fully with the provisions of Section sixteen (16) of said Chapter 300. The budget appropriation resolution and the tax levy resolution shall be spread upon the minutes of the Quarterly County Court.

**SECTION 8.** That the appropriations made in the budget appropriation resolution, or any amendment thereto, shall constitute the limit to expenditures for the various purposes and from the various fund of Robertson County for the fiscal year covered by said resolution and no expenditure shall be made or obligation created unless it is authorized by an appropriation. Provided, that any resolution presented to the Quarterly County Court in any fiscal year, after the original budget appropriation resolution for the year has been adopted and the tax rate for the year has been fixed, which provides for an appropriation in addition to these made by the original budget appropriation resolution, shall specifically provide sufficient revenues or other funds to meet such additional appropriation.

The appropriations as made by the Quarterly County Court shall constitute authorizations for expenditures; and expenditures may be made and obligations incurred up to the maximum amounts appropriated. Expenditures and obligations against the amounts so appropriated shall be made or obligations created without such approval shall be valid and binding against Robertson County. Provided, however, that the County Judge may issue such regulations or make such arrangements, as he deems necessary, for the prompt handling of bona fide emergencies. Salaries, bills, accounts and other obligations of the county schools, after being approved by the County Judge, shall be paid upon disbursement warrants issued by the County Board of Education and countersigned by the County Judge. Expenditures on all other funds of the County, except school funds, shall be made upon disbursement warrants signed by the County Judge. Bills and accounts incurred in accordance with the authorized appropriations shall be paid promptly in order that the County may obtain the benefit of cash discounts; and, for this purpose, it shall not be necessary for each such bill and accounts to be filed and recorded by the County Court Clerk or to be approved before payment by the Quarterly County Court.

**SECTION 9.** That the County Judge shall make or have made, a report at the end of each month showing the condition of the budget. Said report shall show for each item of appropriation the amount of expenditure, the amount of unpaid obligations and the amount of the unencumbered balance. It also shall show for each fund an itemized statement of the revenues and receipts estimated for the year compared with collections to the end of the month and show the amounts still expected to be collected. In a parallel column shall be shown the amount of each item of revenue received during the comparable elapse period of the preceding fiscal year. The most recent such report shall be presented to each regular session of the Quarterly County Court. In the report to the Quarterly County Court the County Judge shall advise the Court of the condition of the budget and of any adjustment or reduction of appropriations or expenditures which should be made, and shall recommend any other action which the Court shall take in order that the budget may be kept in balance.

**SECTION 10.** That any official named in this Act or any other official, agent or employee of the County who shall fail or refuse to perform the duties required of him by this Act or who shall otherwise fail or refuse to conform to the provisions of this Act shall be guilty of a misdemeanor and shall be subject to a fine of not more than fifty dollars and to removal from office.

**SECTION 11.** That in the event any section, sentence, clause, phrase or work of this Act shall be held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or invalidate the remainder of the Act. The General Assembly hereby declares that it treats each and every section, sentence, clause, phrase and word of this Act as severable, and that it would have enacted this Act with any invalid or unconstitutional part thereof omitted.

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

Passed: January 18, 1943.

## Building Permits

### Private Acts of 1979 Chapter 66

**SECTION 1.** Any person desiring to erect or have erected, constructed or reconstructed any building or structure in Robertson County, shall first apply to the Building Commissioner of Robertson County for a building permit for such erection, construction, reconstruction, or alteration. The value of any alteration must exceed the sum of three thousand dollars (\$3,000) before a permit shall be required. Said



application shall be in a form to be prescribed by the Building Commissioner and shall contain the following information: (1) whether the proposed work is to be new construction or the alteration of an existing structure; (2) the location or address of the proposed construction or alterations; (3) the identity of the owner or owners of the premises; (4) the estimated cost of the completed structure in the case of new construction, or in the case of the alteration of an existing structure, the estimated value of such structure before and after such alteration; and (5) such other information as the Building Commissioner shall prescribe.

Upon proper application, duly filed and found to be in compliance with the Robertson County Zoning Resolution, the Building Commissioner shall issue a building permit and shall charge a fee for such service, the fee to be as prescribed by the Robertson County Planning Commission. All sums collected from the fees shall be paid to the General Fund of Robertson County.

After issuance of the building permit, the Building Commissioner shall transmit a copy of it to the Robertson County Assessor of Property, provided however, that no new or additional property tax shall be assessed against such premises unless or until the same are completed to the extent that they are habitable or may be put to use.

**SECTION 2.** This act shall apply to the setting of mobile homes or any other kind of sectional or modular housing units, and the fact that one unit is charged for another on the same site shall not exclude the unit from the provisions of this act.

**SECTION 3.** This act shall not apply to the erection, construction, reconstruction, or alteration of buildings or other structures in cities requiring permits of the same nor within official planning regions duly established under Tennessee Code Annotated, Section 13-202 and Tennessee Code Annotated, Sections 13-711 through 17-713, provided copies of such permits are made available to the building commissioner at regular monthly intervals.

**SECTION 4.** Robertson County is empowered to enjoin any one from proceeding with any construction until the terms of this act are complied with, and the County Attorney shall institute injunctive proceedings upon the request of the Building Commissioner and the Robertson County Planning Commission.

**SECTION 5.** Public or private utilities shall not furnish any service to any person or persons desiring to erect or have erected, constructed or reconstructed, any building or structure in Robertson County without being presented with a properly executed building permit.

**SECTION 6.** Violations of the provisions of this act shall be punishable, upon conviction thereof, by a fine of not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00), and each day the violation continues shall be deemed a separate offense.

**SECTION 7.** Chapter 31 of the Private Acts of 1967 is repealed.

**SECTION 8.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the County Commission of Robertson County on or before the next regular meeting of such court occurring more than thirty (30) days after its approval by the Chief Executive of this state. Its approval or nonapproval shall be proclaimed by the presiding officer of the County Commission of Robertson County and shall be certified by him to the Secretary of State.

**SECTION 9.** 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 8.

Passed: March 29, 1979.

## Purchasing

## Private Acts of 1943 Chapter 98

**COMPILER'S NOTE:** This Act may be suspended by the adoption of the 1981 Act.

**SECTION 1.** That the office of County Purchasing Agent is hereby created in Robertson County, Tennessee. The County Judge shall be and is hereby designated as the 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 such purchases or rents are to be paid out of any funds belonging to or under the control of Robertson County or any department, institution or agency thereof; and no other official, 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 \$500.00, 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 Springfield, Tennessee, and such other newspaper as he may deem property, that sealed bids will be received by the Purchasing Agent, 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 purchases, 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 to 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 biddings.

As amended by: Private Acts of 1983, Chapter 100

**SECTION 4.** That when the estimated value of supplies, materials or equipment required for essential functions of the County governments is \$500.00, 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 purchases under the authority of this paragraph be purchased at a higher price than the prevailing current market price at Springfield, Tennessee, for such supplies, materials or equipment.

As amended by: Private Acts of 1983, Chapter 100

**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 the 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 reason for handling the purchase an emergency. Provided further, that in order to take care of emergencies the department heads of the county may purchase by means of purchase order, or otherwise, any materials, supplies, repairs or services required, the costs of which in the aggregate shall not exceed the sum of \$25.00 for all departments except that of County Engineer which sum shall not exceed \$225.00, but proper evidence of such expenditures, or purchases as purchase orders or invoices or vouchers shall be filed with the Purchasing Agent daily and failure to do so may be disallowed by the Purchasing Agent and all of said sums shall fall within and not exceed the budget submitted and allowed by the county court of Robertson County, Tennessee. If any department head shall abuse the privilege granted hereto to make purchases, the Purchasing Agent may revoke such right, which right to purchase shall then be vested in the Purchasing Agent only.

**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 description 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 furnishings 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 to 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 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 form 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 Robertson 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 11.** That the County Judge shall furnish a bond in the sum of \$10,000, which bond shall be conditioned upon faithful and proper performance of his duties as Purchasing Agent. The Premium on said bond shall be paid from the General Fund of the county.

**SECTION 12.** 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 severable, and that it would have enacted this Act with any invalid or unconstitutional part thereof omitted or elided therefrom.

**SECTION 13.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: January 20, 1943.

## Administration - Historical Notes

### **Audit**

The Acts listed below are no longer in effect in Robertson County, and since the general state law referenced above was enacted in 1947 while the local law bears a date of 1943, any conflict between the two would be resolved by the state statute. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1941, Chapter 386, formed an audit committee in Robertson County, composed of three people serving two year terms, who would be elected by popular vote in the general August election and take office following September 1. Until that time the statute named J. E. Powell as the chairman of the audit committee, and Henry Gower and Ernest Porter would be the other members. The Committee members would be paid \$5 each for every day actually spent in the work of the Committee which has specific power to conduct investigations and examine the records of all departments of county government. The Committee could issue subpoenas, administer oaths, and examine witnesses. They could also employ auditors and accountants as they deemed essential, as well as attorneys, when the need arose. The Committee would file a report on their activities and expenses every six months with the County Clerk. This Act was repealed by the one following.
2. Private Acts of 1943, Chapter 63, specifically repealed Private Acts of 1941, Chapter 386, above, as the same was written.

### **Budget System**

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

1. Private Acts of 1917, Chapter 576, created a Board of Finance in Robertson County composed of

three men over 25 years of age and residents of the county, but no member of the Quarterly County Court could serve on this Board. F. G. Ewing, A. L. Dorsey, and John N. Richards were named in the act as the first members of the Board of Finance who would serve until the first Monday in January, 1919, when the county judge, or chairman, would appoint the members to serve for the ensuing two years. The members would be sworn into office, choose one of their number as a chairman and as secretary, and discharge the duties and responsibilities outlined in the act for which they could hire an accountant to assist them, if necessary. The accountant's salary would be fixed by the Board and paid monthly and department heads would be required to cooperate with auditors and accountants. Proper and timely reports were to be made to the County Court. This Act was repealed by the one following.

2. Private Acts of 1919, Chapter 276, repealed Private Acts of 1917, Chapter 576, in its entirety, and the Board of Finance was abolished.

### **Building Permits**

The act mentioned below was in effect in Robertson County until repealed specifically by the act published herein, Private Acts of 1979, Chapter 66.

1. Private Acts of 1967, Chapter 31, required that people apply to the Assessor of Property for building permits when the value of the work to be done exceeded \$1,000, for which the Assessor could charge a \$1 fee. The Act did not apply to construction or alteration in cities when the city charged for a building permit. This Act was repealed by Private Acts of 1979, Chapter 66.

### **County Attorney**

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

1. Private Acts of 1935, Chapter 448, created the position of County Attorney in Robertson County who would be a licensed attorney, at least thirty years of age, and otherwise qualified to perform the duties of the office. The Governor would appoint an attorney to serve until the next general August election who could produce a successor to serve a term of four years. The County Attorney would transact all the legal business of the county, in court, or otherwise, advise all county officials concerning the law; would act as prosecutor in the criminal court and assist the District Attorney in the prosecution and trial of all criminal cases in the Circuit Court of Robertson County. The annual salary was set at \$1800 but the County Attorney would be paid extra when compelled to litigate matters in State and Federal Courts. This Act was repealed below.
2. Private Acts of 1939, Chapter 196, amended Private Acts of 1935, Chapter 448, above, by adding a provision that the County Attorney would not represent, either directly or indirectly, or in connection with any other attorney, or become involved as claimant, defendant, or insurer in any claim for damages to person, property, or character, of another, or further, be involved in any matter wherein a criminal prosecution had, or could, grow out of the claim.
3. Private Acts of 1941, Chapter 132, specifically repealed Private Acts of 1935, Chapter 448, above, as the same was amended, and abolished the office of county attorney in Robertson County, Tennessee.
4. Private Acts of 1967, Chapter 33, was the legal authority for the position of county attorney in Robertson County, until it was repealed by Private Acts of 1980, Chapter 330.

### **County Clerk**

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

1. Private Acts of 1933, Chapter 567, provided that the County Court Clerk of Robertson County (identified by the use of the 1930 Federal Census figures) would receive a salary, or compensation, for his services a sum not to exceed \$3,000 annually, beginning on September 1, 1934. The Clerk must file a sworn, itemized statement showing the amount of fees collected in the office with the County Judge, or Chairman. If the fees were less than \$3,000 the sum total of the fees would constitute the salary of the clerk and, if the fees exceeded \$3,000, the clerk was directed to pay the excess into the county general fund through the Trustee.

### **County Legislative Body**

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

1. Private Acts of 1933, Chapter 567, provided that the County Court Clerk of Robertson County

(identified by the use of the 1930 Federal Census figures) would receive a salary, or compensation, for his services a sum not to exceed \$3,000 annually, beginning on September 1, 1934. The Clerk must file a sworn, itemized statement showing the amount of fees collected in the office with the County Judge, or Chairman. If the fees were less than \$3,000 the sum total of the fees would constitute the salary of the clerk and, if the fees exceeded \$3,000, the clerk was directed to pay the excess into the county general fund through the Trustee.

### **County Mayor**

The references below are of acts which once applied to the office of county judge in Robertson County. They are included herein for historical purposes only.

1. Private Acts of 1909, Chapter 440, created the office of County Judge in Robertson County.
2. Private Acts of 1923, Chapter 520, amended Private Acts of 1909, Chapter 440, above, so as to increase the annual salary of county judge from \$1,200 to \$1,800 annually, which amount would be paid in equal monthly installments out of the regular county funds on the warrant of the Judge.
3. Private Acts of 1909, Chapter 440, as amended by Private Acts of 1923, Chapter 520, which established the office of county judge (and abolished the office of chairman of the county court of Robertson County) has been superseded by general law, Public Acts of 1978, Chapter 934. The administrative duties of the former county judge have been transferred to the county executive. T.C.A. § 5-6-101.
4. Private Acts of 2005, Chapter 1, redesignated the title of county mayor to county executive. This act was repealed by the Private Acts of 2007, Chapter 2.

### **County Register**

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

1. Acts of 1806, Chapter 1, divided Tennessee into two districts, the East District, and the West District, with one Register for each district. The Register would be located in Knoxville for the East District and at Nashville for the West District.
2. Acts of 1851-52, Chapter 119, required that all the duties of the Entry Taker would hereafter be performed by the Register in those counties south and west of the Congressional Reservation line who would collect the same fees as the Entry Takers had been collecting. The Entry Takers were obligated to turn over their books and records, plus all maps, to the Registers of the respective counties involved. The Registers were given permission to employ a Deputy Register where the public interest would be best served thereby. Robertson County was among those counties exempting themselves from the application of this law.
3. Private Acts of 1933, Chapter 565, fixed the annual salary of the Register for Robertson County at \$3,000, starting September 1, 1934 (the act had Registrar but obviously meant Register). All excess fees, commissions, and emoluments would be paid into the county treasury and any amount less than \$3,000 would be the salary of the Register for that year.
4. Private Acts of 1949, Chapter 821, provided that in Robertson County, before any person could have a deed conveying the title to any real estate in the county, they must first present the same to the Tax Assessor who was directed to record the information specified in the act on his records. Registers were prohibited from recording any of these instruments conveying title to real estate which did not have the stamp on it showing that the above had been done. This Act was repealed by the one following.
5. Private Acts of 1951, Chapter 267, expressly repealed Private Acts of 1949, Chapter 821, above, as the same was written and enacted.

### **County Trustee**

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

1. Private Acts of 1915, Chapter 223, fixed the amount of the bonds required of the Trustee of Robertson County for State taxes at \$20,000 and the bond to be made by the Trustee for county taxes was set at \$40,000, both bonds to be conditioned as was required by law.
2. Private Acts of 1919, Chapter 388, provided for the Trustee of Robertson County to contract with banks on the question of the interest rate to be paid on county deposits.
3. Private Acts of 1943, Chapter 89, recited in the preamble that funds were not in the hands of the County Trustee of Robertson County, all being the remainders left in various bond issues for the

county whose purpose had been fulfilled and completed. This Act enabled the Trustee to transfer the specified funds out of the bond issue accounts and into the general county fund, the total amount of all funds in this category being around \$7,000.

### **General Reference**

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

1. Acts of 1797, Chapter 15, stated that prior to the division of Tennessee County into Robertson County and Montgomery County, Tennessee County owed some of its citizens for their services as jurors and for other public purposes which debts were not paid at the time of the division. This Act authorized those citizens who had sums due them to apply to their present county of residence for payment out of that particular county's tax funds.
2. Acts of 1801, Chapter 5, declared that no pork, beef, hogs, lard, butter, hemp, meal or other perishable commodities could be sold unless the same was inspected. Justices of the Peace were authorized to enforce this law, Regulations were enacted for keeping the warehouses, for inspecting the products, and for the conduct of all those who would be involved in the process, including the sale of the goods after inspection had been made. Springfield and Fayetteville were designated as inspection points in Robertson County.
3. Acts of 1807, Chapter 5, increased the bonds of the Treasurer of the Robertson District to \$50,000 which bonds would be secured with ten securities, all being occasioned by the increased revenue of the State and to the high probability of further increases.
4. Acts of 1809, Chapter 56, was the legal authority for Thomas Dixon, of Robertson County, who had a large family and only one leg, and who had moved into the county with a small amount of merchandise, to sell, either by himself or his representative, those goods he had brought with him without having to obtain a license. Acts of 1809, Chapter 21, did the same as the above act.
5. Acts of 1811, Chapter 34, vested the properties of Hollis Lick in Robertson County with the power to make and proceed to a conclusion a lottery to procure salt out of the above Lick, the amount to be raised by the lottery not to exceed \$2,000 on such scheme as the proprietors might devise. The properties must enter into appropriate bond to secure the prize money. If for some reason, some funds were not used, or the lottery was not fully consummated, any funds not to be returned to the ticket holders could be donated to Liberty Academy in the County.
6. Acts of 1811, Chapter 42, made it lawful for any person, or persons, to erect two warehouses on the Cumberland River, one on the north side of the River at Weakleys' Ferry in Montgomery County; and the other on the south side of the River near Weakleys' Ferry in Dickson County, both sites being adjacent to Robertson County, for the inspection of tobacco and other articles for sale.
7. Acts of 1815, Chapter 199, named John Hutchison, William Lain, Benjamin Tucker, Jack E. Turner, William L. Armstrong, Thomas Kilgore, and James H. Bryan, as commissioners to conduct a lottery scheme to raise a sum of money not to exceed \$4,000 which would be used in building a court house in Springfield in Robertson County. The Commissioners were required to make bond in an amount sufficient to insure the payment of the prizes. The drawing for the lottery prizes would be in accordance with the stipulations in this Act.
8. Acts of 1820, Chapter 82, was the authority for John Shannon, of Robertson County, to retail spirituous liquors in the county of his residences without having to pay any license fee to the county or the State.
9. Acts of 1822, Chapter 70, permitted John Brooks, of Robertson County, to hawk and peddle goods, wares, and merchandise in the State of Tennessee without having to pay any taxes for doing so in the State.
10. Acts of 1822, Chapter 85, provided that property belonging to the estate of Herbert Harwell, a citizen who recently died in Robertson County, would be sold under execution by the Sheriff which executions were obtained heretofore and remain unsatisfied. After the property was sold, the proceeds would be applied to the payments of judgments against Harwell.
11. Acts of 1825, Chapter 149, allowed James Read, of Robertson County, to vend and sell at retail merchandise and goods throughout the State of Tennessee without having to pay any State or County taxes for doing so.
12. Acts of 1825, Chapter 177, among other things, changed the name of Caroline Read to Caroline

Read Payne, daughter of Solomon Payne, of Robertson County.

13. Acts of 1826, Chapter 80, was the enabling act which permitted the holding and drawing of a lottery in Robertson County for the benefit of Richard Jones. Commissioners were named in the Act and directed to give bond in twice the amount of the prizes to be paid. (This Act was practically unreadable in the volume available to us so that the names of the Commissioners and the purpose of the lottery could not be ascertained. We were unsuccessful in our efforts to locate this Act in a legible form.)
14. Acts of 1826, Chapter 121, authorized Mark P. Duncan, of Robertson County, to sell goods at retail throughout Robertson County without having to obtain a license, provided the said Duncan took an oath before the County Court Clerk that he would not sell any goods belonging to any other person, only sell goods belonging to him.
15. Acts of 1827, Chapter 85, released Phillip Silvers and Cornelius Wilson, both of Robertson County, and their security, John C. Straughon, from the payment of a fine of \$10 for each one which was imposed upon them by the county court of Robertson County for an alleged assault and battery charge plus one of false imprisonment.
16. Acts of 1827, Chapter 147, required the collector of the public revenue in Robertson County for the year 1827 to pay to the commissioners heretofore appointed by law to superintend the construction of a jail in Springfield one-half of the State tax which the 1825 act ordered to be paid to the county trustee for county purposes. The Commissioner's receipt would be a good voucher for the same.
17. Acts of 1827, Chapter 171, was legal authority for Anthony Hinkle, of Robertson County, to hawk and peddle goods and merchandise in Robertson County and Davidson County without paying any tax provided the said Hinkle took the oath before some Justice of the Peace in either county that the goods he sold were his own and the proceeds were for his own personal benefit.
18. Acts of 1831, Chapter 43, stated that the cashier of the Bank of Tennessee would place to the credit of the counties of Montgomery, Dickson, Robertson, Sumner, Davidson, Stewart, Humphreys, Perry, Hickman, Williamson, Lawrence, Wayne, Hardin and Wilson, their pro rata share of the \$60,000 set aside for the internal improvement of Middle Tennessee. The share for each county was based on the percentage of the population of that county of the combined population of all the counties.
19. Acts of 1832, Chapter 97, appointed Henry Frey, Robert Green, Matthew Powell, Henry Hart and William Seal, as the Internal Improvement Board for Robertson County who had the power to receive and expend all the funds for Robertson County, being granted all the powers and obligations as other commissioners of Internal Improvement.
20. Acts of 1833, Chapter 34, established the Planter's Bank in Tennessee whose main office would be at Nashville and one of the branch offices would be at Springfield under the supervision of Richard Cheatham, George C. Conrad, Thomas Farmer, Thornton H. Cook and William Seal. All the rules and regulations pertinent to corporate banking institutions at that time were included within this statute.
21. Acts of 1847-48, Chapter 42, attached the County of Robertson to the Nashville Bank District and there would be a director for the said county who would be chosen as other directors were selected and enjoy all their rights and privileges.
22. Acts of 1853-54, Chapter 317, stated that Robertson County would be added to the Nashville Bank District (as the preceding Act did) and would be entitled to have a Director on the Bank Board in the same manner as other Directors.
23. Acts of 1855-56, Chapter 163, incorporated the town of Turnersville in Robertson County which contained the territory described in the act and which town would be entitled to a Justice of the Peace.
24. Acts of 1867-68, Chapter 42, incorporated John H. Pope, Thomas L. Green, William Moore, G. B. Randolph, W. R. Sadler, C. C. Bell, William Pitt, Willie Woodard, M. V. Ingram, Jo C. Stark, E. A. Fort, G. B. Mason, John S. Hare, John Woodard, Thomas J. Brisle, B. B. Ralls, N. H. Anderson, Mills Taylor, George C. Benton and Solomon Hiser as the "Robertson County Agricultural and Horticultural Association" with an authorized capital stock of \$10,000. The corporation could be organized as soon as \$5,000 in stock was subscribed and confirmed. Officers were to be elected in Springfield who were given the powers necessary to carry out the general purposes of the corporation.
25. Acts of 1869-70, Chapter 96, incorporated John Woodrell, William Moore, John S. Hart, Willie Woodrell, C. M. Warfield, Boyd M. Cheatham, G. G. Mason, and their associates as the "Bank of

Springfield" which would come under all the general laws pertinent to corporate banking institutions.

26. Acts of 1897, Chapter 124, concerned the annual salaries of the elected county officials which were classified according to the population of the county in which the official served. The officers would be deprived of all fees which became the property of the county. Although this Act was declared unconstitutional in *Weaver v. Davidson County*, 104 Tenn. 315, 59 S.W. 1105 (1900), yet, it with others soon to follow have been the forerunners of the salary acts under which the State currently operates.
27. Acts of 1899, Chapter 232, incorporated Springfield as Mayor and Alderman of Springfield granting to them the 29 powers specifically enumerated in the act. The city contained the area described from which a Mayor and 6 aldermen would be elected for two year terms and then appoint the Marshal, Recorder and Treasurer.
28. Private Acts of 1929, Chapter 273, removed the disabilities of infancy from Very Johnson, of Robertson County, and granted to her the right to contract to do all other things in the same capacity as an adult.
29. Private Acts of 1933, Chapter 103, took Homer Ellis, Jr., of Robertson County, away from all the deficiencies of being a minor in order that he could take the Bar Examination and thereafter be the same as a legal adult.
30. Private Acts of 1933, Chapter 442, took away all the disabilities of her minority from Vergie May Savage and granted her all the rights of a majority so that she could transfer and convey some real estate.
31. Private Acts of 1937, Chapter 77, made Polly Henry a legal adult of Robertson County by removing her minority. At the time of the passage of this act, she resided in Memphis, Tennessee.
32. Private Acts of 1937, Chapter 481, created the "Orlinda Taxing District" which contained the certain areas described in the Act for the purpose of constructing and maintaining a system of water works. The officers would be three commissioners and a Treasurer who would be elected on the first Tuesday in May 1941, for a term of four years. The Commission would make the rules and regulations and the bylaws for the District. The District had the authority to issue \$22,000 in bonds to buy the water system, at an interest rate not to exceed 5%, and maturing as directed. All the property of the District was pledged to the payment of the bonds, plus the Commissioners could fix the rates to be charged to the water consumers. This Commission would in no way have any power over the roads or the schools in the district.

## Chapter II - Animals and Fish

### Red Foxes

#### Private Acts of 1955 Chapter 191

**SECTION 1.** That there shall be closed season upon red foxes at all times, but that red foxes may be chased with dogs at any time of the year, except as during such periods as may be fixed by the Game and Fish Commission for the protection of the species, in all counties of this State having a population of not less than 27,000, and not more than 27,050, inhabitants, according to the Federal Census of 1950, or any subsequent Federal Census.

Should the Game and Fish Commission determine that there is need for an open season on red foxes in any such county or counties, they shall have the power and authority to open the same for such period of time as they deem necessary and advisable.

**SECTION 2.** That it shall be unlawful to kill or trap red foxes in such counties and at any time during the year, except in any such period of time that an open season may be declared by the Game and Fish Commission. Any person violating this Act shall be guilty of a misdemeanor, and, upon conviction, shall be subject to a fine of not less than Two (\$2.00) Dollars nor more than Fifty (\$50.00) Dollars.

**SECTION 3.** That all laws or 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: March 3, 1955.

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

1. Acts of 1807, Chapter 8, provided that every planter would have a sufficient fence about his cleared land in cultivation which must be at least five feet high and sufficiently close to keep hogs out. If a trespass occurred the damaged person could apply to any Justice of the Peace for compensation who could appoint two other land holders to get the amount of damages. This Act was applicable to several counties including Robertson.
2. Acts of 1870, Chapter 19, prohibited the seining, and netting, either with a dip net, set, or other devise, basketing or trapping, in any stream, pond or reservoir in the counties of Rutherford, Davidson, Robertson, Montgomery, Cheatham, Williamson, Maury, Stewart, Cannon, Marion, Warren and Dickson. No seine could be stretched lawfully across the mouth of any river or stream. Fines for violations ranged from \$5 to \$20 for first offense and \$20 to \$50 for all subsequent violations, one-half to go to the informer and one-half to the State. Justices of the Peace had enforcement jurisdiction.
3. Acts of 1873, Chapter 83, made it unlawful in Montgomery, Robertson, Davidson, and Maury Counties to hunt, kill or capture from February 1 until September 1, any song-bird, as a mockingbird, any game bird, as quail, pheasant, or grouse, or any bird which feeds on insects as sparrows, cat-birds, blue birds, or woodpeckers. Any violator could be prosecuted in front of any magistrate and incur a fine of \$5 or each bird numbered among the above which was killed. All prosecutions would be in the name of the county and the fine would be divided between the county and informer equally.
4. Acts of 1877, Chapter 25, declared it illegal in the counties of Robertson, Montgomery, Maury, Gibson, Madison, Stewart, Franklin, Loudon, Monroe, Hawkins, Henry and Crockett, to take, or catch fish with seines, nets, traps, gigs, or by any other means than by angling with hook and line, or trot line, from the waters of any running stream and the owner of land bordering a stream could have an action at law or equity. It was further unlawful to place a net, or a seine, across the mouth of any stream. This Act did not apply to minnow nets and the Grand Jury was given inquisitorial powers with reference to it.
5. Acts of 1879, Chapter 12, amended Acts of 1877, Chapter 25, so as to remove Franklin County from the purview of that law but the same would continue in force in the other counties.
6. Acts of 1879, Chapter 62, removed Hawkins County from the application of Acts of 1877, Chapter 25, above, by amending the act to that effect, all other terms remaining as is.
7. Acts of 1889, Chapter 171, was a general statewide game law to which many counties, including Robertson, excepted. The law made it unlawful to hunt, or kill, deer for profit but they could be slain for personal and family consumption. However, one could kill deer for profit on one's own land between August 1 and January 1. The same prohibition was effected against the killing of quail, or partridge, except the open season for killing for profit on one's land was from November 1 until following March 1. First offense fines were \$5 to \$25. Second offense punishments included fines from \$25 to \$50 and up to three months in confinement.
8. Acts of 1889, Chapter 211, amended Acts of 1873, Chapter 83, and Acts of 1877, Chapter 162, which contained references to Robertson County but the amendment would affect Lincoln County only.
9. Acts of 1895, Chapter 135, made it illegal to catch, kill, destroy or take fish except by angling.
10. Acts of 1897, Chapter 321, made it legal for any person of this State to catch fish for his own table, but not otherwise, in the Cumberland, Tennessee, Mississippi, Obion, Forked Deer, Big Sandy, and Duck Rivers by any means except poisons, or explosive but this Act did not apply to the portions of the Cumberland River located in Robertson County and in Montgomery County. (See *Freemon v. State*, 118 Tenn. 95, 100 S.W. 723 (1907).)
11. Acts of 1899, Chapter 337, stated that whoever in any place in the counties of Sumner, Trousdale, and Robertson, catches, kills, injures, or pursues any quail, partridge, grouse, or pheasant, for a period of five years from the passage of this Act would be guilty of a misdemeanor and subject to be fined up to \$25, or imprisoned up to thirty days. These birds could be hunted with a gun except on the enclosed lands of another between November 1, and January 1 of each year. To destroy the nest, or the eggs, of these birds was a further offense punishable by fines from \$5 to \$50 and possible confinement up to 30 days in jail.
12. Acts of 1901, Chapter 447, allowed no person to catch, kill, or injure, or pursue with such intention any ruffed grouse, or prairie chicken, or ringnecked pheasants, before November 15,

1908, or after that date, only between November 15 and the following January 15. It was likewise illegal to destroy the nests, or the eggs, of these birds. Penalties included fines of \$25 and a possible 30 day jail sentence for first offenders and fines, of \$50 and 60 days in jail for subsequent violations. This Act did not apply to the process of domestication of these birds in private pens, or enclosures.

13. Private Acts of 1903, Chapter 499, made it lawful for the owner, or any one having the custody and control, of hogs, sheep and goats to allow the same to run at large in Robertson County (identified by the use of the 1900 Federal Census figures). Any damage done to the property of others would constitute a lien on the trespassing animals to which could be added the expense of taking the animals up and caring for them. This Act was not to be construed as relieving any railroad of any liability heretofore imposed on them. This Act was repealed by Private Acts of 1905, Chapter 52.
14. Private Acts of 1903, Chapter 500, stated that four smooth, or barbed, wires fastened securely to posts and stays would constitute a legal fence in Robertson County, provided the posts were not more than 24 feet apart with a good stay, or brace, of wire, or wood, not more than six feet apart. The bottom wire would be fifteen inches high from the ground, the second one thirteen inches from the first, and the third and fourth would be spaced thirteen inches from the second. Wire could not be less than #10 wire. If ratchets were used in the fence the wire could be stapled. This Act was repealed by the one following.
15. Private Acts of 1905, Chapter 51, expressly repealed Private Acts of 1903, Chapter 500, above, a fence law for Robertson County.
16. Private Acts of 1905, Chapter 52, repealed Private Acts of 1903, Chapter 499, above, as the same was written and enacted as a stock law for Robertson County.
17. Private Acts of 1907, Chapter 16, made it lawful for the owner, or the custodian, of horses, cattle, sheep, swine and goats in Robertson County, to allow the same to run at large in the county but it was not in violation of the law to use unfenced land as a summer range. The owner of animals trespassing upon the land of another was liable in damages for which a lien would lie against the stock doing the damage, including the cost of taking them up and accruing for them until reclaimed by their owner. The violation was also a misdemeanor for which one could be fined.
18. Private Acts of 1915, Chapter 347, declared it to be contrary to the law in Robertson County, Davidson County, and Shelby County for any person to set, more than 200 yards from his residence, any still trap, a deadfall, or any other device liable to cause, or capable of causing, lingering pain, or suffering to any animal, beast, or person, but nothing in this Act would prevent anyone from setting traps, and the other devices, on his own land anywhere, and further, that a trip for hawks set four feet above the ground was permissible if the same were taken up and removed before 6:00 P.M. each day. Violators could be fined from \$25 to \$50.
19. Private Acts of 1915, Chapter 691, made it unlawful between February 1 and September 1 of each year in the counties of Robertson, Davidson, and Shelby, for any person upon the land of another to poison, or kill, or attempt to do so, any beaver, muskrat, fox, mink, raccoon, skunk, opossum, or weasel, or to molest, or destroy, the den of such animals. To sell, or purchase, the hides, or pelts, of these animals would also be a misdemeanor. This Act did not apply to the shipment, or the sending, or taking, of the said animals out of the counties to captivity at zoos, or geological gardens, or for exhibition for pay. Offenders were subject to fines from \$15 to \$25.
20. Private Acts of 1917, Chapter 124, amended Private Acts of 1915, Chapter 347, above, by removing Robertson County from its provisions thus repealing the law's effectiveness in that county.
21. Private Acts of 1921, Chapter 393, rendered it illegal in Robertson County (identified by the use of the 1920 Federal Census figures) for any person to shoot, kill or injure, any quail, or partridge except during the time from November 15 until the following February 1, but all furbearing animals could be killed at any time. It was also unlawful to gig, spear, shoot, or kill, any fish in any running stream, or river, by the use of dynamite, or other explosive, but it would be lawful to do those acts between June 15 and September 1 of each year. No license of any kind would be required but one must obtain the written permission from the owner to hunt and fish upon the lands of another.
22. Private Acts of 1921, Chapter 405, listed a large number of counties, including Robertson County, which exempted themselves from the operation of Public Acts of 1919, Chapter 61, a statewide law regulating the care and keeping of dogs.
23. Private Acts of 1923, Chapter 522, termed it a misdemeanor in Robertson County for one to kill,

- catch, or capture, fish except by hook and line, or trot line. Violators were subject to be fined from \$5 to \$100 with one-half going to the informant and the other one-half to the county.
24. Private Acts of 1927, Chapter 655, established the open season on quail, or partridges, in Robertson County and during which these birds could be hunted with dogs and gun. The season would begin on November 15 and extend through the following January 31. The Act also set up an open season on opossums from October 1 until the following January 1 of each year.
  25. Private Acts of 1929, Chapter 7, amended Private Acts of 1927, Chapter 655, by changing the start of the open season on quail, or partridges, in Robertson County from November 15 to November 25.
  26. Private Acts of 1933, Chapter 137, declared it to be lawful to capture, kill or take all carp, suckers, buffalo and red and black horse fish, from the Red River in Robertson County by means of gig, grab-hook, snare, or a grabbing with hands, at any time during the year and there would be no closed season on these fish in Robertson County.
  27. Private Acts of 1933, Chapter 443, also made it legal in Robertson County for any citizen to take, kill, or capture, fish of all kinds under the regulation of this Act, without having to pay the \$2 license fee, or any other fee therefor. This Act, however, applied only to fishing by means of hook and line, trot line, bank pole, and then only when natural bait was used, and, provided further, that all other game and fish laws of the State would be enforceable in Robertson County.
  28. Private Acts of 1935, Chapter 55, rendered it unlawful hereafter in Robertson County for any person to gig fish at any time in any of the streams of the county. Anyone found guilty of doing so could be fined from \$2 to \$50 for each offense.
  29. Private Acts of 1935, Chapter 702, stated that any person who had heretofore engaged in the practice of veterinary medicine, with or without a license, in Robertson County for a period of fifteen years, or longer, next preceding the effective date of this Act, was authorized to continue to practice the same in that county provided he/she obtain from the county court clerk a certificate of good moral character and file the same with the State Board of Veterinary Examiners.
  30. Private Acts of 1937, Chapter 479, established the legality for any citizen in Robertson County to take, kill or capture fish of all kinds in any stream, creek, branch, lake or pond without the payment of any license fee therefor but the provisions of this Act applied only to fishing with hook and line, bank pole, and trout line, and only while using natural bait instead of artificial bait. Otherwise, all the regulations of the State and the Department of Game and Fish were applicable in Robertson County.
  31. Private Acts of 1945, Chapter 246, licensed Forest Ternary, of Robertson County, to practice veterinary medicine in that County without having to obtain a license to do so.
  32. Private Acts of 1945, Chapter 296, was the enabling legislation which permitted Frances J. Cotter, a resident of Robertson County to practice. This Act would serve as the legal authority for Cotter to continue.
  33. Private Acts of 1949, Chapter 775, stated that the County Court of Robertson County, under the provisions of Section 9, Article 11, of the State Constitution, as construed in the case of Mooney v. Phillips, 173 Tenn. 398, and in Henderson County v. Wallace, 173 Tenn. 184, and the cases cited therein in both decisions by the Supreme Court, was vested with the powers to pass ordinances and resolutions with regard to private and local powers to pass ordinances and resolutions with regard to private and local affairs by the affirmative vote of a majority of not less than two-thirds, a meeting to use those powers being called on notice given by the County Judge, or three members of the County Court. The required details for a valid ordinance were specified in Section 2, and, by virtue thereof, the Court could establish the office of Dog and Cat Rabies Technicians.

## Chapter III - Bond Issues

### Bond Issues - Historical Notes

#### **County Buildings**

1. Private Acts of 1949, Chapter 773, allowed the Quarterly Court of Robertson County to issue and sell up to \$75,000 in bonds to acquire a site for and to construct thereon a county building to be used for county purposes. No maximum interest rate was specified nor was a maturity schedule

contained in the act. A few details of the issue were included but most were delegated to the resolution of the court. These bonds would be tax exempt and a tax levy for the sinking fund was required.

### **Debts**

1. Private Acts of 1935, Chapter 474, was the enabling legislation for the Robertson County Quarterly Court to issue up to \$80,000 in bonds, at an interest rate not to exceed 3½%, and to mature no later than 30 years from the date of issue, which funds would be used to pay off the outstanding debts of the county which might be evidenced by notes, warrants, or otherwise. Details could be supplied in a resolution of the court which was also obligated to levy a tax to amortize the bonds over the maturity period. They would be the incontestable obligations of the county.
2. Private Acts of 1935, Chapter 476, permitted the Robertson County Quarterly Court to issue and sell up to \$108,000 in bonds, at an interest rate of 4%, or less, which would mature no later than 30 years after the date of issue which would be expended to pay off, retire, and refund a like amount of debts, or bonds, which were outstanding and unpaid, including Road Bonds. The bonds which would be retired and those to be issued were legalized and confirmed in every essential to the accomplishment of the purpose expressed. These bonds were nontaxable, contained the essential details of valid bond legislation and required a tax levy to amortize.
3. Private Acts of 1941, Chapter 67, ratified, confirmed, validated and legalized all the prior actions of the quarterly court of Robertson County taken in connection with the issue and sale of \$36,000 in Funding Bonds at two and three-quarter percent interest and maturing at the rate of \$9,000 annually through 1946. The bonds were ratified despite the lack of any statutory authority for the issue at the time. All the debts to be paid were also made the legal obligations of the county. These were general obligation bonds for which a tax levy would be made.

### **Industry**

1. Private Acts of 1941, Chapter 221, was the legal authority for Robertson County to promote industrial and commercial growth of the county by aiding industries and business enterprises to locate in the said county and to establish factories and building plants to stimulate employment and, as part of the program, the county had the power to issue up to \$100,000 in bonds, at an interest rate not to exceed 5%, so as to encourage industrial development by acquiring sites and erecting buildings which could be sold, or leased. All of the above was subject to the approval of the people in a referendum election prior thereto by a three-fourths majority. The ballot would be a simple "For" or "Against" type. A maturity schedule not to exceed 30 years and the details of the issue could be included in the Resolution fixing the details. The County Judge and the Trustee would handle and dispense the funds received thereunder.

### **Roads**

1. Private Acts of 1903, Chapter 4, provided for an election to be held in Robertson County not less than 10 days nor more than 10 years after the passage of this Act to ascertain the will of the people on the question of the issue of \$150,000 in bonds to build turnpikes and improve roads. The interest rate was pegged at 4% and the maturity period of the bonds could not go beyond thirty years. The Quarterly Court would appoint five commissioners to supervise and manage the program who were given the duty to report on the status of the same to the court every quarter. The essential details and the tax levy were all present in the Act.
2. Private Acts of 1907, Chapter 208, recited in the preamble that a previous act allowing the issue of \$150,000 in road bonds (Item 1) if the people approved it in a referendum was not accepted by the electorate but the five commissioners were appointed and did not serve because of that but now all sections of the above law have been approved by the people. This Act allowed the Quarterly Court to appoint five commissioners for terms of two years whose residence would be in the major geographical portions of the county.
3. Private Acts of 1911, Chapter 216, stated in the introduction that the people of Robertson County had approved in an election the issue and sale of \$150,000 in bonds for roads pursuant to authority in Private Acts of 1903, Chapter 4, and the Quarterly Court had directed that the bonds be issued. This Act was the legal authority for the court to issue those bonds, and those to come later, all doubts as to their validity to the contrary. The Court was further obligated to levy a tax for the sinking fund in order to liquidate the bonds.
4. Private Acts of 1911, Chapter 545, was the enabling law for the Election Commission of Robertson County, upon the written request of five voters, or more, to hold an election on the question of the issue and sale of up to \$300,000 in bonds with which to build turnpikes and improve roads.

The interest rate could not exceed 5%, and the Quarterly Court would, before the election, adopt a resolution incorporating all the details essential to the bond issue. A 30 year limitation was placed upon the maturity schedule.

5. Private Acts of 1917, Chapter 735, required the Election Commission of Robertson County upon the request of five voters, or more, to hold an election on the proposition of issuing up to \$150,000 in bonds, at a maximum interest rate of 5%, and payable semi-annually, to gravel, repair, and metal pike roads in the county. The details of the election were stipulated and the details of the bond issue were both contained in the act. A tax levy to pay off the bonds was required and future elections on same subject could be held in the future if the first one failed to pass.
6. Private Acts of 1929 (Ex. Sess.), Chapter 80, enabled the Robertson County Quarterly Court to issue and sell up to \$25,000 in bonds with semi-annual interest coupons at a rate not exceeding 6% so the county could reimburse the general fund for warrants heretofore drawn on the fund in the settlement of acquisition of rights-of-way in order that the state system of highways and roads could be completed in Robertson County. A majority vote of the quarterly court would be enough to move the issue of general obligation bonds. All the essential details and tax levy were present.
7. Private Acts of 1949, Chapter 405, allowed the Quarterly Court of Robertson County to issue up to \$200,000 in short-term notes, or in bonds, at an interest rate of 3%, or less, and which would mature no longer than 2 years following issue whose proceeds would be used to cooperate with the state highway department in the construction of rural roads as planned by the general assembly. The Court could adopt a resolution containing all the essential details and pay the money to the Trustee who must account therefor.
8. Private Acts of 1949, Chapter 406, was the authority for the Quarterly Court of Robertson County to issue up to \$200,000 in bonds at 4%, or less, interest, and maturing in 10 years under practically the same conditions as those stated in the act above.

### **Schools**

1. Private Acts of 1941, Chapter 35, stated that all the prior actions and proceedings taken by the Quarterly Court of Robertson County in connection with the issue and sale of \$60,000 in school bonds, dated August 1, 1940, at an interest rate of 2 3/4%, and maturing through August 1, 1947, were in all respects ratified, confirmed, validated, and legalized. They were to be considered as the legal, valid and binding obligations of the county which were incontestable and the quarterly court had the duty to provide for the payment of these bonds and interest by levying a tax sufficient for that purpose.

### **Springfield**

1. Private Acts of 1897, Chapter 140, authorized the city of Springfield to borrow \$10,000 with which to purchase sites for school buildings to be erected on for the use and benefit of the school children in the said city, and to issue their interest bearing bonds for that amount. The interest rate was not to exceed 6%, nor the maturity schedule go beyond ten years. These bonds were to be the general obligations of the city.
2. Private Acts of 1911, Chapter 133, was the legislation enabling the Mayor and Aldermen of Springfield to issue up to \$15,000 in bonds at an interest rate of 5%, or less, which would mature no later than 20 years after issue. The funds were to be used to enlarge, improve, or to build public school buildings in the city. The money would be deposited with the Trustee and spent as directed by the Mayor and Aldermen. The full faith and credit of the city were pledged to their payment.
3. Private Acts of 1937, Chapter 482, authorized Springfield to issue and sell \$125,000 in bonds, at an interest rate of 4½%, or less, to construct a high school in the city. The bond issue would conform to the details specified and which were to be published before the bonds were issued and the referendum election held to which all of the above was subject. If the people approved, the bonds would be issued as stipulated.

## **Chapter IV - Boundaries**

### **Creation of the County**

## Acts of 1788 Chapter 28

Whereas, the great extent of the County of Davidson renders it inconvenient to the inhabitants thereof to attend courts, general musters, and election:

**SECTION 1.** Be it enacted by the General Assembly of the state of North Carolina, and it is hereby enacted by the authority of the same, that from and after the passing of this act, the said county of Davidson shall be divided by a line beginning on the Virginia line, running south along Sumner County to the dividing ridge between Cumberland River and Red River, then westwardly along the said ridge to the head of the main south branch of Sycamore Creek, then down the said branch to the mouth thereof, then due south across Cumberland River to the Davidson County line; and all that part of Davidson county that lies east of the said line shall continue and remain the County of Davidson; and all that part of the said county of Davidson that lies west of the said line, shall be erected into a county by the name of Tennessee.

**SECTION 2.** That the courts for the said county shall be held by the justices thereof on the third Mondays in January, April, July and October; and the justices for the said County of Tennessee are empowered to hold the first court at the house of Isaac Fitzworth, and all subsequent courts at such place as the said justices may adjourn to, until a court house shall be built for the said County of Tennessee, and then all causes, matters, and things depending in the same court, and all manner of process returnable to the same, shall be adjourned to such court house; and all courts held in and for the said County of Tennessee shall be held by commission to the justices, in the same manner and under the same rules and restrictions, and shall have and exercise the same powers and jurisdictions, as are and shall be prescribed for other courts held for the several counties in this state.

## Acts of 1796 Chapter 30

**SECTION 1.** That the county of Tennessee be divided by a line as follows, viz. Beginning at the upper end of the first bluff above James McArline's on Red River, near Allin's Cabbins, running from thence a direct course to the Sulphor Fork, one quarter of a mile below Elias Fort's, thence up the creek, as its meanders, to the head, thence a direct course to the Davidson County line, at the mouth of Sycamore Creek, thence up said Sycamore Creek, with the Davidson County line, in the Sumner County line, thence with the extreme height of the dividing ridge, eastwardly to the Kentucky road, leading from Nashville, thence north-westerly, with said road, to the Kentucky state line, thence west with said line, to such place as a south east course, leaving Joseph French in the lower county, will strike the beginning; and all that part contained in the said boundary henceforth be erected into a new and distinct county, by the name of Robertson; and the other part thereof be and remain a separate and distinct county, by the name of Montgomery.

**SECTION 2.** That William Johnston, Sen. James Norslet, John Young, John Dennelson, and Samuel Crocket, be and they are hereby appointed commissioners, and authorized to appoint and lay off a place the most central and convenient on said county of Robertson, for the purposes of erecting a court house, prison and stocks.

**SECTION 3.** That the aforesaid commissioners are hereby authorized and required, as soon as can be, after agreeing on the place whereon the court house, prison and stocks are to be erected in said county of Robertson, to contract and agree with suitable workmen for erecting and building at the place aforesaid, a court house, prison, and stock, for the use and benefit of said county.

**SECTION 4.** And the better to enable the commissioners aforesaid, to carry this act into effect. Be it enacted, that a tax not exceeding twelve and a half cents on each hundred acres of land--a tax not exceeding a twenty-five cents on each town lot--a tax not exceeding twenty-five cents on each slave, between the age of ten and fifty years--and a tax not exceeding twelve and a half cents on each white male between the age of twenty-one and fifty years, shall be collected in the said county of Robertson, for two years, by the Sheriff or collector of the same, and accounted for, and paid to the said commissioners, at the same time and same manner, and under the like penalties and restrictions, as is or may be directed for collecting, accounting for, and paying public taxes.

**SECTION 5.** That, before the said commissioners shall take into their hands any of the monies directed to be collected by this act, they shall enter into bond, in the sum of one thousand dollars, payable to the governor and commander in chief for the time being, and its successors, conditioned for the faithful discharge of the trust reposed in them.

**SECTION 6.** And for the due administration of justice, Be it enacted, That the court for the said county of Robertson shall be held constantly by the justices of said county, on the third Mondays in January, April, July and October, in every year: And the justices for said county of Robertson, are hereby authorized and

empowered to hold the first court for the same at the house of Jacob M'Carty; and all subsequent courts for said county, on the days above mentioned for holding courts therein, at any place to which the said justices shall from court to court adjourn themselves, until a court house shall be built for the said county of Robertson; and then all causes, matters and things depending in the said court, and all manner of process returnable to the same, shall be adjourned to such court house and all courts, held in and for the said county of Robertson, shall be held by commission to the said justices, in the same manner, and under the same rules and restrictions, and shall have and exercise the same powers and jurisdiction, as are, or shall be prescribed for the courts for the several counties in this state.

**SECTION 7.** That the aforesaid county of Robertson, shall be, and is hereby declared to compose in part of the district of Mero in the same manner and for all purposes, civil and military as it did when it stood undivided: Provided, nothing in this act contained shall be so construed as to prevent the sheriff or collector of the taxes of the county of Tennessee, from collecting the same, both public and county, within the limits of the said county of Robertson, which are, at this time, in arrearages, in the same manner as if this act had not been passed; and the said county of Robertson, from and after, the passing of this act, shall furnish six, and the county of Montgomery, six jurors, to the superior court of law and equity, for the district of Mero aforesaid.

**SECTION 8.** That Barclay William Pollock and Joseph Carmack, be appointed commissioners, who are authorized to run the dividing lines between the aforesaid counties, that is, where they are not already run, or particularly pointed out by natural boundaries; for which services each of the commissioners shall be allowed two dollars per day, and the markers each one dollar per day, the expenses to be equally paid by the aforesaid counties.

**SECTION 9.** That all proceedings, now pending in the county court of Tennessee, shall be proceeded on, and determined in that part of said county, now called Montgomery, in the same manner as if this law had not passed.

## County Seat

### Acts of 1796 Chapter 32

WHEREAS, by an act passed at this session, John Donelson, William Johnson, Sen., John Young, James Norset, and Samuel Crocket, are appointed commissioners, and authorized to lay off and appoint a place, the most central and convenient in the county of Robertson, for the purpose of erecting a court house, prison, and stocks; And whereas, said commissioners are, by the said act, authorized to receive certain monies, therein appropriated, to the aforesaid purposes:

**SECTION 1.** Be it enacted by the General Assembly of the State of Tennessee, that the said commissioners be, and they are hereby authorized to appropriate and lay out such part of said monies, in the purchase of fifty acres of land, to lay the same out into a town, and to sell and execute deeds for lots, and to apply the money (or part thereof) arising from the sale, to the building of a courthouse, prison, and stocks; which town shall be called and known by the name of Springfield: And the said commissioners shall give bond and security to the governor, or his successors in office, in the penal sum of one thousand dollars; conditioned, for the due purposes before expelled; and well and truly to account for the same, to and with the court of the said county of Robertson, which bond shall be filed in the office of the clerk of the said county.

Passed: April 20, 1796.

## Change of Boundary Lines

### Acts of 1799 Chapter 13

**SECTION 1.** That from and after the passing of this act, the bounds of Robertson County shall be as follows, viz.--

Beginning at the upper end of the first bluff above James McFarland's, on Red River, near to Annellen's Cabbins, running from thence a direct course to the Sulphor Fork, one quarter of a mile below Elias Fort's, thence a direct course so as to leave the plantation whereon Col. James Ford lives in Montgomery County and the plantation whereon Maj. John Baker lives, in Robertson County, and to strike the road leading from Davidson's ferry to Robertson court house, one quarter of a mile east of Capt. James Hollis's, thence a direct course to the mouth of Big Bursh Creek, which empties into Cumberland River near Col. John Hogan's, thence continuing the same course to the Indian boundary line, thence running eastwardly with said Indian boundary line to Davidson County line, thence north with said Davidson County line to the

mouth of Sycamore Creek, thence up said Sycamore Creek, with the Davidson County line, to the Sumner County line, thence with the extreme height of the ridge, eastwardly to the Kentucky road leading from Nashville, thence northward with said road to the Kentucky state line, thence west with said line to such place as a southeast course, leaving Joseph French in the lower county, will strike the beginning.

**SECTION 2.** That nothing in this act contained shall be so construed as to prevent the sheriff or collector of the state taxes of the county of Montgomery from collecting the same within the limits of that part of Robertson County which was taken from Montgomery, which are at this time in arrearages, in the same manner as if this act had not been passed; and the sheriff, collector, or treasurer, as the case may be, shall be bound to refund, when called on, all the monies they may have received, as county monies, for the year 1799, unto those citizens which live in that part of Montgomery County, which is by this Act annexed to Robertson County.

Passed: October 23, 1979.

## Acts of 1801 Chapter 37

**SECTION 1.** That the bounds of Jackson County shall be as follows: (viz) Beginning at the north east corner of said county, on the state line, thence east with said line to the north west corner of Anderson County, thence along the western boundary of the counties of Anderson and Roane, to the southern boundary of the state; thence westward with the said line to a point, from which a due north line will strike the south east corner of said county; and that the counties of Smith, Wilson, Davidson, Williamson and Robertson, shall be extended from the southern boundary of the state, corner, thence down the river Mississippi to the south west angle of this state, thence east, with the southern boundary line of the same, to the south west corner of Robertson County, thence north, with the western boundary line of Robertson County aforesaid, to the northern boundary line of this state, thence west, to the beginning.

**SECTION 2.** That nothing in this act contained, shall be so construed as to authorize any person whatever, to violate the laws of the United States, as it relates to such parts of said counties lying within the Indian boundary. Provided, nevertheless, that nothing herein contained shall be so construed, as to authorize the sheriff of either of the aforesaid counties, to levy execution or sell any real property lying within the Indian boundary, until the same is extinguished, any law to the contrary notwithstanding.

Passed: November 14, 1801.

## Acts of 1801 Chapter 51

**SECTION 1.** That from and after the passing of this act the bounds and limits of Montgomery County shall be as follows, viz. Beginning one hundred and fifty yards east of Captain Joseph Woolfork's house, on the Sulphur fork, thence east to a point twelve and a half miles east of the meridian of the court house in the town of Clarksville, thence south to the point twenty-five miles south of the Kentucky line, thence west to the Indian boundary line, thence with said boundary line to the Kentucky line aforesaid, thence with said line east to a point from which a due south course will strike the beginning.

**SECTION 2.** That Henry Johnson and Benjamin Weekley, or either of them, be, and they are hereby appointed commissioners to run and mark the lines which shall divide Montgomery from Robertson County, who shall be allowed the sum of two dollars per day each, and the chain carrier and market one dollar per day each, for every day they shall be necessarily employed in running said lines, to be paid by the county of Montgomery.

Passed: October 29, 1801.

**COMPILER'S NOTE:** Because of the condition of the original act some portions that were illegible were omitted

## Acts of 1803 Chapter 66

**COMPILER'S NOTE:** Sections 2, 3, 5 and 6 concerned only Dickson County and were not copied.

**SECTION 1.** That a new county by the name of Dickson, be and hereby is erected and established out of that part of the counties of Robertson and Montgomery, comprehended within the bounds following, to wit: Beginning on the south bank of Cumberland river, where the line which separates the counties of Robertson and Davidson intersects the same, running thence down said river to a point, half a mile below Fayetteville; thence southwestwardly by a line which shall intersect Barton's Creek, one mile north of the forge; thence due west to a stake or point, one mile east of the east boundary line thence due west to a stake or point, one mile east of the east boundary line of Stewart County; thence south to the southern boundary of this state; thence east with said southern boundary to the southwest corner of Williamson



County, as established by an act of the last session of the general assembly, entitled An Act to extend the jurisdiction, and to ascertain the bounds of the counties therein mentioned; thence north with the west boundary lines of the counties of Williamson and Davidson to the beginning.

**SECTION 4.** That the sheriffs of Robertson and Montgomery Counties shall have power to collect the taxes for the present year, and all arrearages of taxes for any preceding year, due from any of the inhabitants within the present limits of either of their respective counties that may be included within the county hereby established; and that the inhabitants of said established county, now citizens of Robertson County shall be liable for the payment of their proportion of any debts now due by said county of Robertson.

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

Passed: October 25, 1803.

## Acts of 1809 Chapter 42

Whereas the people who reside near to the lower end of Robertson County, and in the upper end of Montgomery, labor under inconveniences in discharging their public duties and dues, owing to the distance they have to go to attend elections, and general and battalion musters, and present uncertainty of the line between said counties; and dissatisfied with the manner in which said line has been directed to be run, as a dividing line between said counties, it being a crooked one: To remedy which,

**SECTION 1.** That Joseph Woolfolk, Esquire, of Montgomery County, be, and he hereby is appointed a commissioner for the purpose of running and plainly marking a line, beginning at a point, twelve and a half miles due east of the meridian of Clarksville, which point is a corner of an offset in the present line near Capt. James Blackwell's on Parson's Creek, thence a direct course to a point on the south bank of the Sulphur fork of Red river about mid way between the dwelling houses of Maj. James Norfleet and Cordall Norfleet, thence down Sulphur fork, with its meanders, to the point where the present line of the county now crosses the river, thence with said line, due north, to the Kentucky line; which line when run, shall be the true dividing line between the aforesaid counties of Robertson and Montgomery; and such persons as are or may be found to reside west of said line shall, from and after the running of said line, be considered as inhabitants of Montgomery, and those on the east thereof, to belong to the county of Robertson, any other or former law to the contrary notwithstanding.

**SECTION 2.** That the sheriff of Robertson county shall be, and hereby is, authorized to collect the state and county taxes due from those who had returned their tax bill in said county, who will, by the running of said line, be found to be added to the county of Montgomery, as effectually as if this act had not been passed.

**SECTION 3.** That the said Joseph Woolfolk shall be allowed the sum of three dollars per day for each day he may be necessarily engaged in running said line, and that the person marking the same shall be allowed per day the sum of one dollar for each and every day he may be necessarily engaged in marking the same, to be paid by order of the county court of Montgomery out of any county monies.

**SECTION 4.** That it shall be the duty of said Joseph Woolfolk, to make out two fair plats of said line and return one to the clerks of each of the counties of Robertson and Montgomery, who shall record the same in their offices respectively; for the recording of which each clerk shall be allowed the sum of fifty cents.

**COMPILER'S NOTE:** Sections 5 and 6 concerned only Montgomery County and are not repeated here.

Passed: November 8, 1809.

## Acts of 1836 Chapter 44

**SECTION 1.** That the dividing line between the counties of Robertson and Montgomery shall be a straight line.

**SECTION 2.** That Henry Johnson and George S. Wimberly shall be commissioners, whose duty it shall be to commence on the Sulphur Fork of Red River, where the dividing line between said counties crosses the same, and to run and mark said line straight to the Kentucky line, so that the same shall be a straight line from the mouth of Sycamore Creek to the Kentucky line.

**SECTION 3.** That said commissioners shall report to the county courts of the counties of Montgomery and Robertson, as early as practicable, the boundary so by them run; which shall be registered in each of said counties, and the same shall be the limits of said counties.

**SECTION 4.** That said commissioners be allowed the sum of four dollars per day, for every day they may be engaged in such service, to be paid by the county of Montgomery.

**SECTION 5.** That after the survey shall have been made by the commissioners herein named, that part now in the county of Robertson, from the point where it crosses the Sulphur Fork Creek to the Kentucky line, shall be and compose part of the county of Montgomery, and the citizens residing therein shall be entitled to all the rights and privileges of other citizens of Montgomery County, and subject to the same pains and penalties thereof; provided, that nothing in this act shall prevent the sheriffs, or any other officer in the county of Robertson, from collecting their taxes, now due, from the citizens of that part of said county of Robertson stricken off by this act and attached to the county of Montgomery.

Passed: February 18, 1846.

## Acts of 1855-56 Chapter 122

**COMPILER'S NOTE:** The Sections not copied herein did not relate to Robertson County. See Davidson County v. Cheatham County, 63 S.W. 209 (1901).

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

**SECTION 3.** That all officers, civil and military, in said County shall continue to hold their offices, and exercise all the powers and functions thereof, until others shall have been elected under the provisions of the Constitution and law made in pursuance thereof; and it shall be the duty of the County Court of Cheatham County, at their first term, to appoint some suitable person to open and hold elections in each civil district in said County, on the 15th day of May, 1856, for the purpose of electing County officers; which election shall, in all respects, be conducted agreeably to the existing laws regulating elections in other counties in this state. The officers so elected shall have the same jurisdiction, powers, and

emoluments that the county officers are entitled to under the existing laws; and the said county of Cheatham shall be placed on an equal footing, possess equal powers and privileges, in all respects, as other counties in this state: Provided, nothing in this act contained shall be so construed as to prevent the counties of Davidson, Robertson, Montgomery, and Dickson from having, holding, and exercising jurisdiction over the territory composing the said County of Cheatham, and the citizens thereof, in a full and ample manner as they now have, until the election of county officers: Provided also, that nothing in this act contained shall be so construed as to prevent the counties of Davidson, Robertson, Montgomery, and Dickson from entering up judgments, or the Sheriffs of said counties from selling under such judgments, any lands within said county of Cheatham, for taxes, costs, or charges, for the present or any preceding year; not to prevent the Sheriff of either of said Counties from collecting from the citizens of said county of Cheatham any taxes due for the present or preceding year.

**SECTION 18.** That, on the first Saturday in April, 1856, it is hereby made the duty of the Sheriffs of Robertson, Davidson, Montgomery, and Dickson Counties, by themselves and deputies, to open and hold elections for the purpose of receiving the votes of the qualified voters residing in each fraction taken from the several counties to form the said county of Cheatham; at which election the polls shall be opened at ten o'clock, A.M., and close at 4 o'clock, P.M.; and no person shall vote at said election unless he has resided in the fractions in which he offers to vote, six months immediately preceding the day of said election; and those who wish to vote for the new County, shall put "Cheatham" on their tickets, and those against shall put the words, "Old County" on their tickets; and no vote shall be counted unless the above word or words be upon it; and should any person vote at either of said elections, not being a qualified voter, or residing in the fraction of which he may vote, such offender, on conviction thereof, shall forfeit and pay the sum of twenty-five dollars, to be recovered before any tribunal having cognizance thereof.

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

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

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

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

Passed: February 28, 1853.

## Private Acts of 1935 Chapter 681

**SECTION 1.** That the line between the counties of Montgomery and Robertson in the State of Tennessee,

be and the same is hereby changed so as to put that part of Montgomery County, Tennessee, into Robertson County, Tennessee, and to include the same within the boundaries of Robertson County, Tennessee, bounded and described as follows, to-wit: Beginning at a point in the First Civil District of Montgomery County, Tennessee, where the present line between said counties of Montgomery and Robertson crosses the northeast boundary line of the right of way of the Louisville and Nashville Railroad, and running thence north forty-eight (48) degrees West two hundred sixty-seven and twenty-eight hundredths (267.28) poles; thence with said Matthews' line south eighty-seven (87) degrees east eighty-four (84) poles and twelve (12) links; thence with said Matthews' line north two (2) degrees east one hundred and eighty-eight and one-sixth ( $188 \frac{1}{6}$ ) poles; thence with his line south eighty-eight (88) degrees east thirty-six and three fourths ( $36 \frac{3}{4}$ ) poles; thence with his line south twentyfive and one-half ( $25 \frac{1}{2}$ ) degrees east thirty-three and one-half ( $33 \frac{1}{2}$ ) poles; thence with his line south eighty six and three-fourths ( $86 \frac{3}{4}$ ) degrees west to said line between said counties of Montgomery and Robertson; thence with said county line to the place of beginning; said boundaries comprehending the farm of the said J. T. Matthews and a small portion of the land of A. P. Smith which adjoins said county line.

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

Passed: April 18, 1935.

## Private Acts of 1941 Chapter 383

**SECTION 1.** That two small portions of the territory of Robertson County lying in and comprising a part of the southerly portions thereof, and described by metes and bounds as follows:

Beginning at a stone corner of James Tate in B. F. Carter's line; thence N. 87 degrees W. 21 poles to a large beech on the west edge of the road; thence . 37 degrees W. 24 poles to a sweet gum stump corner to James Tate; thence north 39 poles to a pile of rock on side of a hill; thence N. 86 degrees W. 34.2 poles to a point in the center of the road corner to James Tate; thence N.  $31 \frac{1}{2}$  degrees W. 15 poles to a stine with hickory and white oak pointers; thence S. 79 degrees W. 13.6 poles to a hickory on the north bank of Sycamore Creek corner of James Tate; thence with said creek as follows: S. 2 degrees W. 12 poles; S. 28 degrees E. 24 poles; S. 42 degrees E 19 poles; South 13 poles; S. 63 Degrees E.. 34 poles; S. 15 degrees W. 14 poles; S. 10 degrees E. 8 poles; S. 27 degrees E. 12 poles; S. 34 degrees E. 12 poles; S. 8 degrees E. 8.5 poles; S. 42 degrees E. 9 poles; S. 62 degrees E. 15 poles to a point in Sycamore Creek corner to B. F. Carter; thence N.  $3 \frac{1}{2}$  degrees E. 72 poles to the beginning; containing 28.5 acres, more or less. Beginning at a sycamore on the north bank of Sycamore Creek; thence north 43.7 poles to a white oak stump and a large stone; thence N.  $80 \frac{1}{2}$  degrees W. 41 poles to a white oak corner to James Tate in Henry Tate's line; thence S.  $3 \frac{1}{2}$  W. 38 poles to a hickory on the north bank of Sycamore Creek corner to Henry Tate; thence with said creek as follows: S. 45 degrees E. 5 poles; S. 80 degrees E. 7 poles; S. 22 degrees W. 8 poles; East 11 poles; S. 61 degrees E. 9 poles; N. 76 degrees E. 16 poles, to the beginning; containing 12 acres, more or less; shall and the same are hereby attached to and constitute a part of Davidson County in the Fourteenth District thereof.

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

Passed: February 11, 1941.

## Private Acts of 1949 Chapter 729

**SECTION 1.** That the present location of U. S. Highway No. 31-W is hereby declared to be the line between the counties of Sumner and Robertson in this State, beginning where the same intersects the north boundary line of this state and running southwardly with said highway to the point where said counties no longer border thereon. All lands to the west of said highway shall be in Robertson County and all lands to the east thereof shall lie in Sumner County. Provided, however, that such lands as shall be transferred from one county to the other by this Act shall be liable for taxation for the purpose of paying any outstanding bond issues for which they would have been liable had they not been transferred from one county to another.

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

Passed: April 11, 1949.

## Private Acts of 1971 Chapter 69

**SECTION 1.** The boundary line between the counties of Montgomery and Robertson, in the area where the boundary intersects the Stroudsville-Harmony Church Road, between the Fifty Civil District of Montgomery County and the Seventh Civil District of Robertson County is changed so that the boundary

will run from an iron pin in the boundary line between the two counties approximately 36 feet north 86 degrees west from another iron pin in the Stroudsville- Harmony Church Road at the Pickering and E. O. Harper corner; thence along the north, east and south sides of the following described tract of land, so that the described tract of land will lie wholly within the Fifth Civil District of Montgomery County.

Beginning at an iron pin in the easterly margin of the Stroudsville- Harmony Church Road at the Pickering and E. O. Harper Corner, thence along the north line of the Pickering property south 86 degrees 15 feet 44 inches east 1,383.5 feet to a post, a corner to the Pickering property; thence on a line south 9 degrees 15 feet west 4,786 feet to a iron stake in Robert Elliott's northline; thence with the line of said Elliott property north 86 degrees 26 feet 238 inches west 1,414 feet to an iron pin in the easterly margin of the Stroudsville-Harmony Church Road at the Pickering and Elliott corner; thence north along the easterly margin of the Stroudsville- Harmony Church Road to the iron pin in the easterly margin of the Stroudsville- Harmony Church Road at the Pickering and E. O. Harper corner, and situated in the 7th Civil District of Robertson County and the 5th Civil District of Montgomery County.

As amended by: Private Acts of 1972, Chapter 791

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

Passed: April 15, 1971.

## Boundaries - Historical Notes

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

1. Acts of 1798, Chapter 7, appointed Thomas Johnson, Archer Cheatham, Jr., Elias Fort, of Miller's Creek, and George Bell, as commissioners of the town of Springfield who would act with those already serving in the same capacity, to see to the public buildings and to the order of the town.
2. Acts of 1811, Chapter 71, named Anderson Cheatham, John Hutchinson, Charles H. Pickering, Benjamin Porter, William Adams, and Benjamin Tucker, as additional commissioners for the City of Springfield who were vested with all the power and authority of the commissioners then serving in the same capacity.
3. Acts of 1819, Chapter 36, incorporated the city of Springfield under the Mayor-Aldermen form of government with grants of specific powers and all the rights and privileges of municipal corporations. The Sheriff would hold an election at the courthouse on the third Monday in January, 1820, to elect seven aldermen for one year terms who would, when elected, select one of their number as Mayor. A Constable would be elected at the same time but the Mayor and Aldermen would appoint a Recorder and a City Treasurer.
4. Acts of 1825, Chapter 172, nominated John Hutchinson, Richard Cheatham, George C. Conrad, John L. Cheatham, John W. Ferguson, Solomon Paine, Samuel King, Pinckney Green, and Daniel P. Braden, as commissioners of Springfield, who would exercise the powers specifically granted to them in this Act as well as all those authorized prior to this law.
5. Acts of 1832, Chapter 55, provided that the road which was then established and known by the name of the Lexington, or Kentucky, Road running between the counties of Robertson and Sumner, would be taken, held, and considered as the true dividing line between the said counties, commencing at a point in the said Road near Thomas Collin's place where the old line intersected the said road to the Kentucky line.
6. Acts of 1837-38, Chapter 8, created, subject to the approval of the voters in a referendum, the county of Cumberland out of portions of Davidson, Robertson, Montgomery, and Dickson Counties, with the area involved being described by a metes and bounds description. The Sheriffs of the respective counties would collect the taxes due their county for that year. James Darden, of Robertson County, Allen Thompson, and Samuel S. Davidson, of Davidson County, and Pleasant Bagwell, of Dickson County, were appointed commissioners to select a site for the county seat of the new county. Thomas Shaw, of Robertson County would run and mark the boundary lines. Obviously the voters did not approve the formation of the new Cumberland County.
7. Acts of 1837-38, Chapter 124, stated that the dividing line between the counties of Davidson, Robertson, Montgomery, Dickson and Cumberland would be run and marked by the Surveyor previously appointed to do so. The Surveyor would furnish to the Sheriff of each county a plat showing the area involved in the formation of new Cumberland County. The Sheriff would hold an election in each precinct therein on March 10, next; except that on the south side of the Cumberland River the election would be at the house of James Lovell instead of James Hooper.

The election of officials would report the results of the Governor.

8. Private Acts of 1843-44, Chapter 40, rearranged the line between Robertson County and Sumner county beginning at the black jack corner of the Kentucky line, and running south with the center of the Nashville and Kentucky turnpike road, as far south as the old Kentucky Road constituted the dividing line between the two counties.
9. Acts of 1843-44, Chapter 59, again set up the new county of Cumberland from portions of Davidson County, Robertson County, Montgomery County, and Dickson County, as the same was legally described in the act, subject to approval in a referendum by the residents of the new county. If approved, the county officials would be elected and courts would meet at the house of Littleton J. Perdue. Samuel B. Davidson, of Davidson County, James Darden and Henry Frey, of Robertson County, Pleasant Bagwell, of Montgomery County and Benjamin C. Robertson, of Dickson County, were named as commissioners to select the site of the county seat. William S. Perry, of Robertson County, would run and mark the boundary line. This Act was not approved by the voters.
10. Acts of 1855-56, Chapter 122, created Cheatham County. Pertinent parts of the act are published herein.
11. Acts of 1859-60, Chapter 135, changed the boundary line between Davidson County and Robertson County to run commencing at the forks of Sycamore Creek, the road from Springfield to Nashville, running east with the meanders of the north prong of Sycamore to the tunnel of the Edgefield and Kentucky Railroad. This Act was repealed by Acts of 1867-68, Chapter 82.
12. Acts of 1867-68, Chapter 82, repealed Acts of 1859-60, Chapter 135, Section 6, above, so that the line between Robertson County and Davidson County would revert to the positions held prior to the passage of the amending act.
13. Acts of 1869-70, Chapter 32, rearranged the boundary line between Robertson County and Montgomery County so as to place wholly within Robertson County the homes and farms belonging to E. L. Fort, Robert Long, H. G. Long, Harding Durham, A. M. Jones, C. M. Warfield, S. F. Mitchell, John Sadler, and J. E. Hill.
14. Acts of 1873, Chapter 100, transferred the residence and lands of M. Wilkinson out of Robertson County and placed it in Davidson County.
15. Acts of 1881, Chapter 60, changed the lines between Robertson County and Cheatham County, and between Cheatham County and Montgomery County, beginning where the line of Cheatham and Robertson Counties strikes the east boundary line of A. D. Cage's five hundred acre tract, thence north with his lines to his northeast corner, thence west 1½ degrees north with his line to the Montgomery County line, and on to his northwest corner, thence south three degrees west to the Cheatham County line.
16. Acts of 1881, Chapter 72, changed the line between Robertson County and Montgomery County beginning at a point where the Red River crosses the present line, running thence down said river to the mouth of Sulphur Fork Creek, thence up said creek to the point where it crosses the present line.
17. Acts of 1885, Chapter 144, moved the home and farm belonging to John Watts out of Cheatham County and into Robertson County.
18. Acts of 1887, Chapter 110, stated that J. G. Gwynn owned a farm of which 117 acres was located in Robertson County and 8 acres of which were situated in Montgomery County. This Act realigned the boundary line between the two counties so that the 8 acres would be included in Robertson County also.
19. Acts of 1889, Chapter 45, detached the lands and residences owned by T. M. Hinkle and A. W. Clinard from Davidson County and attached them to Robertson County.
20. Private Acts of 1949, Chapter 274, took a certain tract of land belonging to J. T. Winters, as the same was described in this statute, out of Robertson County and added the same to Cheatham County.
21. Public Acts of 1972, Chapter 791, amended Private Acts of 1971, Chapter 69, to correct the description of the property moved as the same now appears in that Act.
22. Public Acts of 1981, Chapter 324, rearranged the boundary lines between Robertson County and Montgomery County by removing certain property, as described within the Act, from the Fifth Civil District of Montgomery County and placing the same within the Seventh Civil District of Robertson County.

# Chapter V - Court System

## General Sessions Court

### Private Acts of 1955 Chapter 140

**SECTION 1.** That there is hereby created and established a Court in and for Robertson County, which shall be designated as the Court of General Sessions of Robertson County. Said County shall provide a courtroom at the County seat and all necessary supplies for the equipment and maintenance of said Court, and shall defray the expenses thereof from the general funds of said County.

**SECTION 2.** That said Court of General Sessions is hereby vested with all of the present and future jurisdiction and shall exercise the present and future 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 except the district in which Springfield is situated, may issue criminal and search warrants against and accept appearance bonds from any person charged with an offense, and may issue civil process of 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.

As amended by: Private Acts of 1971, Chapter 14

**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 sufficient cost bond with good security or by making a cash cost deposit, or shall take the oath prescribed for poor persons, and on motion, the Court may increase the amount of such bond or deposit.

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

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

**SECTION 5.** That in all matters and 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 shall be the same in said Court as those provided by law for the Courts of Justices of the Peace.

The fees and compensation due for services rendered by said Court of General Sessions shall be paid to the Clerk of 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.

**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, the State Highway Patrolmen for their services, fees of witnesses for attendance, et cetera, and credits for payment 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.

Also there shall be kept a criminal docket in which shall be entered the disposition of all criminal cases disposed of by the Court of General Sessions, which docket shall show as to misdemeanors now within the jurisdiction of Justices of the Peace under the small offense law, the name of the defendant, the charge against him, and the disposition of the case, as provided by law. In cases in which Justices of the Peace do not now have jurisdiction under the general law, the Clerk shall be under the duty to procure a minute book and in such minute book he shall enter the action of the Court by appropriate minute entry, setting

forth the name of the defendant, his arraignment upon the charge against him, his plea, his waiver of right of trial and his consent to be tried by the Court of General Sessions upon such charge. Likewise, there shall be entered therein a judgment of the Court of General Sessions upon such criminal offense, cognizable by the Court of General Sessions on the waiver of the defendant under subsequent provisions of this Act.

**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.

This judge of said Court, as a condition precedent to his election, shall be a licensed attorney, actively engaged in the practice of law, and no person shall be eligible for election to said office of Judge unless such person has been duly licensed to practice law in this State by the appropriating authorities. The Judge of the Court of General Sessions shall also possess power to issue fiats for extraordinary process returnable to the appropriate Court in which such suit is to be filed.

As amended by: Private Acts of 1965, Chapter 221

**SECTION 8.** That the compensation of said Judge shall be \$4,800.00 per annum payable in equal monthly installments from the general funds of said County, and such salary shall not be increased or decreased during the time for which said Judge is elected. Such Judge shall devote all his working time to the duties of his office and shall not be permitted to practice law in any Court of the State during his incumbency, or to practice law otherwise.

**SECTION 9.** That for the purpose of filling vacancies occasioned by the creation of such Judgeship, W. Earl Swann is hereby designated and appointed as such Judge, who shall serve until the August election of 1956, or until his successor shall be elected and qualified. At the August election, 1956, there shall be elected some person possessing the qualifications required who shall serve until September 1, 1958. At the August election, 1958, there shall be elected a Judge who shall possess qualifications, who shall hold office for a term of eight years from September 1, 1958, next following his election.

**SECTION 10.** That if the Judge of said Court fails to attend, cannot preside in a pending cause, or for any reason hold Court, or act as Judge, a majority of the 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 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 the Court of General Sessions of Robertson County". The fees, commissions and emoluments of said Court of General Sessions shall belong to the Clerk thereof except as to process issued by the Judge, who shall inure to the County, subject to the provision of the law known as the Anti-Fee Bill and all amendments thereto.

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.

It shall be the express duty of the Clerk of said Court to keep all dockets required by this Act; to write all minute entries required herein, and to promptly make any and all entries necessitated by this statute. In case of the failure or dereliction of the Clerk so to do, he shall be subject to ouster proceedings as now provided by general statute.

**SECTION 13.** That the Sheriff of said County, or any Deputy Sheriff or Constable thereof, shall serve legal process, writs and papers issued by said Court with the same authority as provided by law in the other inferior Courts.

**SECTION 14.** That said Court shall have authority to hear and determine all undisposed of cases arising in the present Court of General Sessions 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 15.** That the Court herein provided is hereby vested with full jurisdiction to try and determine and render final judgments in all misdemeanor cases brought before said Court upon warrant wherein the person charge with such misdemeanor offense enters a plea of guilty or request trial upon the merits and expressly waives in writing an indictment, presentment, grand jury investigation and jury trial. In such cases, the trial shall proceed before the Court without the intervention of a jury, and the Court shall enter



such judgment, and, as an incident thereto, may inflict such punishment, within the limits provided by law for the particular offense, as he may deem proper under the peculiar circumstances of such case, but nothing herein shall be construed as undertaking to grant such Judge the power to impose a fine in excess of \$50.00 upon any citizen of this State; and provided further, that the Court herein created shall have no jurisdiction of the trial of misdemeanor for which the minimum punishment is a fine of more than \$50.00.

Any person aggrieved by the judgment of the Court of General Sessions having criminal jurisdiction rendered under the provisions of this section may appeal such judgment to the next term of the Circuit Court of Robertson County upon executing an appearance bond and likewise executing bond for the amount of fines and costs, or in lieu thereof, taking the oath prescribed by law for paupers. Such appeal, when properly taken to the Circuit Court of Robertson County, shall be tried by the Judge of the Circuit Court without a jury and without indictment and presentment, and upon the original warrant issued against such person.

The Judge of the Court of General Sessions herein created is expressly authorized to issue any and all process in connection with criminal cases disposed of by him under the provisions of this section necessary to effectuate the carrying out of the judgment rendered by him in such case.

**SECTION 16.** That the General Assembly expressly declares that each section, subsection, paragraph and provisions 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 declared that it would have enacted this act with such unconstitutional or invalid portions elided therefrom.

**SECTION 17.** That the Court of General Sessions in Robertson County, Tennessee, be and is vested with full power to punish for contempt of Court.

**SECTION 18.** That this Act shall have no effect unless the same shall have been approved by two-thirds vote of the Quarterly County Court for Robertson County, on or before the next regular meeting of such Quarterly County Court occurring more than thirty days after its approval by the Chief Executive of this State. Its approval or non-approval shall be proclaimed by the presiding officer of the body having jurisdiction to approve or the reverse, and shall be certified by him to the Secretary of State.

**SECTION 19.** That this Act shall take effect on July 1, 1955, after its passage and the approval of the Quarterly County Court of Robertson County, as aforesaid, the public welfare requiring it.

Passed: February 23, 1955.

## Juvenile Court

### Clerk

## Private Acts of 2002 Chapter 98

**SECTION 1.** Effective July 1, 2002, the Circuit Court Clerk shall maintain the records, dockets and perform such duties as may be necessary for the disposition of all juvenile matters coming before the General Sessions Court.

**SECTION 2.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Robertson County. Its approval or nonapproval shall be proclaimed by the presiding officer of Robertson County 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: March 18, 2002.

## Court System - Historical Notes

### Board of Jury Commissioners - Jurors

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

1. Acts of 1799, Chapter 40, fixed the number of jurors in the county of the Mero District who would be required to go to the Superior Court of that District. Davidson County would send ten jurors;

Sumner, seven; Smith, four; Wilson, four; Robertson, five; Montgomery, five; and, Williamson, Five.

2. Acts of 1803, Chapter 73, determined the number of jurors to be sent to the Superior Court of the Mero District by each county in the District. Robertson County would provide four jurors for the court under the terms of this Act.
3. Acts of 1806, Chapter 24, re-annexed Wilson County to the Mero District which now included the counties of Davidson, Sumner, Wilson, Williamson, and Rutherford, the former District having been divided into three Districts, Mero, Robertson, and Winchester. The Robertson District contained the county of Montgomery which would send 12 jurors to the Superior Court of the District at Clarksville. Dickson which would furnish nine, Stewart, seven and Robertson which would be responsible for eleven.
4. Acts of 1817, Chapter 128, made it lawful for the Quarterly Courts, or Courts of Pleas and Quarter Sessions, in the county of Hawkins, Smith, Franklin, Rutherford, Maury, Lincoln, Giles, Overton, Bedford, Wilson, Hickman, Sumner, Stewart, Humphreys, Williamson, Jackson, White, Montgomery, Warren, Robertson and Dickson, on the first day of the first session of the year to levy a tax to make an additional compensation for the jurors attending the circuit and the county courts, provided a majority of the Justices were present and voted in favor of the same, and that the added compensation did not exceed fifty cents per day.
5. Private Acts of 1925, Chapter 169, created a three member Board of Jury Commissioners for Robertson County who would be a resident, free holder for at least two years, who could not be attorneys or state and county officials, and who would be appointed by the circuit court judge. The Circuit Court Clerk would serve as the clerk for the Board. Members of the Board would be sworn by the oath subscribe in the act, serving for a term of one year, vacancies being filled in the same manner as original appointments. Members would serve when appointed to satisfy the Judge with their excuses. The Board would meet in the office of the circuit court clerk within 20 days after appointment where all meetings would be held. No later than three weeks prior to the opening of the court terms the Board would meet and select from the tax rolls no less than 750 names and no more than 1250, all of whom would be listed alphabetically in a book furnished by the clerk and the list certified by the signature of all members of the Board. Their names would also be written on separate pieces of paper and put into a metal jury box which would be locked and sealed and kept in the custody of the clerk who would also keep all other records. No later than two weeks preceding the court term, the jury box would be brought out and opened in the presence of the Board, and a child under the age of ten would draw out the number of names specified in the order of the Judge. These names would be compiled into a list, likewise certified by the Board, and sent to the Judge of the Court. No later than ten days before the court term the latter list would be sent to the Sheriff who would subpoena the jurors. No one could be executed except by the Judge. The Commissioners would be paid \$3 daily for each day devoted to this responsibility. See *Cooley v. State*, 174 Tenn. 170, 124 S.W.2d 251 (1939).
6. Private Acts of 1927, Chapter 278, amended Private Acts of 1925, Chapter 169, above, in Section 7 so as to provide for the formation and summoning of special jury panels who would be assembled in which case the Judge would draw the names out of the box. Section 12 was changed to increase the maximum amount a Commissioner could be paid annually from \$30 to \$50.
7. Private Acts of 1937, Chapter 258, amended Private Acts of 1925, Chapter 169, by adding a provision at the end of Section 7 which granted to the Judges of the Criminal and Chancery Courts, or of any other court having the right to try cases by jury, to direct the drawings of the jury panels from the Jury Box, and, further, to direct the Sheriff in the summoning of additional jurors for the court. No irregularities in the actions of the Judges would void any actions taken under the terms of this act.
8. Private Acts of 1953, Chapter 533, stated that the Foreman of the Grand Jury in Robertson County would be paid at the rate of \$7.50 per day for each day's attendance upon the business of the Grand Jury, said sum to be in the place and stead of any and all other compensation. This compensation would be paid out of the county general fund.
9. Private Acts of 1955, Chapter 112, amended Private Acts of 1925, Chapter 169, the Board of Jury Commissioner's law in Robertson County, in Section 4 by increasing the minimum number of names to be taken from the tax rolls as perspective jurors from 750 to 1250, and the maximum number from 1250 to 2500.
10. Private Acts of 1955, Chapter 114, amended Private Acts of 1925, Chapter 169, by increasing the maximum amount which could be paid to a member of the Board of Jury Commissioners from \$30 to \$100 per year. This Act was properly ratified.

## **Chancery Court**

The following acts form an outline of the development of equity jurisdiction in Robertson 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 1821, Chapter 20, recited in its preamble that many papers and records were lost where the office of the clerk and master of the chancery court burned in 1795, and that a previous act of the Legislature (not cited) provided that affidavits of the contents of those records would be accepted as proof of the substance of those documents. Since the titles to lands and to slaves were required to be registered, this act declared that similar affidavits on the questions would be sufficient to establish title to the particular property when obtained from the chancery court and could be registered as evidence of ownership.
2. Acts of 1822, Chapter 13, provided that the chancery courts of Tennessee would be held at least once each year by the Justices of the Supreme Court at the places where the Supreme Court met during the year. The Courts of Equity would be in Rogersville on the first Monday in November, in Charlotte on the fourth Monday in December, in Sparta on the second Monday in December, in Nashville on the fourth Monday in January, and in Columbia on the second Monday in January. Terms of Court would be for two weeks unless the dockets were finished prior to that time.
3. Acts of 1824, Chapter 20, required the Justices of the Supreme Court which would meet at Knoxville, Sparta and Nashville to arrange among themselves to hold the chancery courts of the state at least twice each year at Greeneville, Rogersville, Kingston, Carthage, McMinnville, Franklin, Columbia, Charlotte and Jackson. The court at Charlotte would hear the cases arising in the counties of Robertson, Montgomery, Dickson, Stewart, Humphreys, and Hickman on the third Monday in June and December.
4. Acts of 1827, Chapter 79, divided the State into two chancery divisions, the Eastern which contained the courts meeting at Rogersville, Greeneville, Kingston, Carthage, and McMinnville, and the Western which included the courts at Franklin, Columbia, Charlotte, Jackson, and Paris.
5. Acts of 1835-36, Chapter 3, pursuant to the new constitutions of the state relieved the Justices of the Supreme Court from the duty of conducting the chancery courts across the state and required that the Supreme Court meet at Knoxville for the Eastern Division, at Nashville for the Middle Division and at Jackson for the Western Division, each Division furnishing one of the three judges constituting the court. Robertson and 23 other counties were assigned to the Middle Division.
6. Acts of 1835-36, Chapter 4, formed three chancery divisions in Tennessee, each to be presided over by a chancellor instead of the Justices of the Supreme Court, the chancellors being appointed by the General Assembly. The grand divisions were each broken down further into chancery districts. Robertson County was in the 14th District of the Middle Division with Sumner County. Court would convene at Gallatin in Sumner County on the second Monday in April and October but complainants from Robertson had the option of filing the bills here or at Clarksville in Montgomery County.
7. Acts of 1837-38, Chapter 14, set up a chancery court at Charlotte for the counties of Dickson, Humphreys, Hickman, Stewart, Montgomery, and Cumberland, where the terms of court would start on the fourth Monday in March and September. The citizens of Robertson County could file their pleadings in this court, at Clarksville, or in Gallatin.
8. Acts of 1839-40, Chapter 66, provided that the causes in chancery now pending in the court in Charlotte which originated in the counties of Montgomery, Robertson or Stewart, could, at the request of any of the parties, be transferred to the court at Clarksville. The Clerk and Master at Charlotte was directed to transfer the complete files and manuscripts within 40 days of the request.
9. Acts of 1843-44, Chapter 169, stated that the chancery court at Springfield in Robertson County would be held on the fourth Monday in January and July in each year with the chancellor of the Middle Division presiding over the court. The people of Robertson County would hereafter file their suits in this court.
10. Acts of 1845-46, Chapter 168, stated that hereafter the chancellor of the Middle Division would hold the chancery court at Charlotte and Clarksville and the chancellor of the Fourth Division would preside over the courts at Springfield, and Gallatin. The terms of court were not changed in Springfield.
11. Acts of 1851-52, Chapter 87, transferred the chancery court at Springfield in Robertson County to the Middle Division of the courts whose chancellor would hereafter supervise the court at Springfield.

12. Acts of 1851-52, Chapter 178, rescheduled the terms for the chancery courts in the Middle Division of Tennessee which contained the counties of Wayne, Lawrence, Giles, Marshall, Hickman, Humphreys, Dickson, Robertson, Maury, Williamson, Stewart, Montgomery, and Davidson. Robertson County's court would meet on the first Thursday after the second Monday in March and September.
13. Acts of 1853-54, Chapter 55, modified some of the rules of practice in the chancery courts and in Section 4 rearranged court terms for most of the counties in the Middle Division. Robertson County's chancery court terms would begin on the first Monday in June and December. Other counties remaining in the Middle Division were Dickson, Humphreys, Maury, Blount, Monroe, Wayne, McNairy, Sumner, Stewart, Montgomery, and Rhea.
14. Acts of 1857-58, Chapter 88, divided the State into the Eastern, Middle, Western, Fourth, Fifth, and Sixth Chancery Division. The Middle Division was composed of the counties of Marshall, Cheatham, Giles, Maury, Lewis, Williamson, Stewart, Montgomery, Davidson, and Robertson whose court would convene on the first Monday of June and December at Springfield.
15. Acts of 1859-60, Chapter 14, created the Seventh Chancery Division with the counties of Overton, Jackson, Macon, Sumner, Robertson, Montgomery, Smith and Stewart being assigned to that division. The Chancellor of this Division was also given all the jurisdiction of the circuit court judges and would preside over the circuit court at Gallatin in Sumner County. The chancery court terms in Robertson County would begin on the first Monday in June and December.
16. Acts of 1859-60, Chapter 106, provided that, after the next regular term of court in Robertson County, the Chancery Court would meet on the first Monday in May and Thursday before the third Monday in November.
17. Acts of 1859-60, Chapter 148, rescheduled the opening dates for the terms of the chancery court of Robertson County to the first Monday in May and November provided that the next term would commence on the first Monday in June.
18. Acts of 1859-60, Chapter 187, stated that the chancery court for Robertson County, after the next regular term was concluded, would meet in Springfield on the first Monday in May and the first Thursday after the second Monday in November each year.
19. Acts of 1868-69, Chapter 18, established the opening dates of the Chancery Court terms for each county in the Seventh Chancery Division which contained the counties of Jackson, Macon, Sumner, Stewart, Montgomery, and Robertson where the chancery court would convene on the second Monday in May and the third Monday in September each year. 20. Acts of 1870, Chapter 32, was a complete reorganization of the Courts in Equity all across the State into twelve chancery districts. The Sixth District was composed of the counties of Wilson, Sumner, Robertson, Montgomery, Stewart, Cheatham, and Trousdale, if that county was established.
20. Acts of 1870, Chapter 47, set up the schedule of the opening dates of the terms for every chancery court in the State of Tennessee. The Chancery Court of Robertson County would take up the dockets on regular terms beginning the fourth Monday in March and October.
21. Acts of 1873, Chapter 12, rearranged the chancery court terms in the Sixth Chancery Division. Robertson County would convene its chancery court on the fourth Monday in March and the third Monday in September both at Springfield. All appearance bonds and process were to be made to conform to those dates.
22. Acts of 1877, Chapter 47, mentioned that the Sixth Chancery Division included the counties of Sumner, Trousdale, Montgomery, Houston, Stewart, Cheatham, Wilson, and Robertson where court terms would begin on the third Monday in May and November at the court house in Springfield.
23. Acts of 1879, Chapter 36, again shuffled the opening dates for chancery court terms in the Sixth Chancery Division. The counties in the Sixth Division were Sumner, Trousdale, Stewart, Houston, Montgomery, Wilson, Cheatham, and Robertson whose court would officially begin on the fourth Monday in April and November.
24. Acts of 1883, Chapter 21, rearranged the schedule for chancery court terms in the Sixth Chancery Division. In Robertson County the chancery court would meet at Springfield on the second Monday in May and the fourth Monday in November.
25. Acts of 1885 (Ex. Sess.), Chapter 20, was a major overhaul of the lower judicial structure in the State of Tennessee in which eleven chancery divisions were formed. The 8th Chancery Division was made up of the counties of Sumner, Robertson, Montgomery, Wilson, Stewart, Houston, Cheatham, Humphreys, and Trousdale. Robertson County's chancery court would continue to meet on the second Monday in May and the fourth Monday in November. (This Act was cited by

- the Supreme Court in *Flynn v. State*, 203 Tenn. 341, 313 S.W.2d 249 (1958))
26. Acts of 1895, Chapter 13, detached Montgomery County from the 8th Chancery Division and made provision that the Judge of the county and criminal courts of the county would hereafter also hold the chancery court for Robertson but would not be paid any additional compensation for doing so.
  27. Acts of 1899, Chapter 427, was a complete revision of the lower judicial system in Tennessee, which formed ten chancery divisions. The 6th Chancery Division was composed of the counties of Robertson, Montgomery, Sumner, Cheatham, Stewart, Houston, Dickson, Humphreys, Hickman, Wilson. The courts in Robertson County would open on the third Monday in May and the fourth Monday in November.
  28. Private Acts of 1905, Chapter 286, established new terms of court for all the chancery courts in the 6th Chancery Division, which were in the counties of Hickman, Montgomery, Cheatham, Wilson, Dickson, Sumner, Humphreys, Stewart, Houston, and Robertson where the court would start on the second Monday in January and July.
  29. Private Acts of 1919, Chapter 455, rescheduled the opening dates for the terms of court for the Sixth Chancery Division, but Robertson County would continue to hold chancery court on the second Monday in January and July.
  30. Public Acts of 1931 (2nd Ex. Sess.), Chapter 38, reorganized the entire lower court system of Tennessee and was the last Act of this nature to appear in the volumes of Private Acts, all future changes being in the form of Code amendments by Public Act. There were 15 Chancery Divisions formed of which the Sixth Chancery Division contained the counties of Montgomery, Robertson, Stewart, Hickman, Cheatham, Houston, Dickson, Sumner, Humphreys and Wilson. Robertson County's chancery courts would continue meeting on the second Monday in January and July.
  31. Public Acts of 1941, Chapter 27, amended Section 159, of the Code of Tennessee so as to initiate new chancery court terms in the 6th Chancery Division. The Chancery Courts in Robertson County would begin on the second Monday in January, March, May, July, September and November.
  32. Private Acts of 1965, Chapter 220, created and established the domestic relations and workman's compensation court of Robertson County. This act was repealed by the Private Acts of 1996, Chapter 165. The jurisdiction of all previously filed cases in the court were to be assumed by the Chancery and Circuit Courts for Robertson County.

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

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

1. Private Acts of 1909, Chapter 328, was a general state law regulating the annual salaries of the clerk and masters across the state establishing the sum of \$1,000 as the yearly compensation to which action the counties of Haywood and Robertson exempted themselves.
2. Private Acts of 1911, Chapter 529, amended Private Acts of 1909, Chapter 328, by raising the annual wages of the Clerk and Master of Robertson County from \$1,000 to \$1,200 and by changing the population figures quoted in the act in order to accomplish the above.
3. Private Acts of 1933, Chapter 564, provided that all the Clerk and Masters of Robertson County (identified by the use of the 1930 Federal Census figures) would receive as compensation for their services a sum not to exceed \$3,000 annually after September 1, 1934. If the fees, commissions, and emoluments of the office exceeded the \$3,000 in salary, the excess would be paid over to the Trustee of Robertson County to go into the public treasury. If the fees, commissions, and emoluments failed to equal the \$3,000 in wages, the amount collected would constitute the annual stipend of Robertson County Clerk and Master

#### **Circuit Court**

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

1. eferenced below are acts which repeal prior law without providing new substantive provisions. Acts of 1796, Chapter 30, which created Robertson County, provided that the first courts would be held at the home of Jacob McCarty.
2. Acts of 1806, Chapter 19, divided the Mero District into three separate districts, called Mero District, Winchester District, and Robertson District which included the counties of Robertson, Dickson, Montgomery and Stewart. The Superior Court for that District would meet in Clarksville on the first Monday in June and December with a normal term of twelve judicial days. This Act was repealed below.

3. Acts of 1809, Chapter 49, divided Tennessee into five judicial circuits of which the Fifth Judicial Circuit included the counties of Montgomery, Dickson, Hickman, Humphreys, Stewart, and Robertson. Court would be held twice each year in each county. The Circuit Court in Robertson County would open on the second Monday in April and October.
4. Acts of 1817, Chapter 111, provided that within forty days from the passage of this act the clerk of the court of appeals for the Fifth Judicial Circuit, to which Robertson County belonged, would remove his office to the courthouse in Charlotte in Dickson County. Court would open and be held at this court house on the dates specified by law. The act which formerly set up the court in Clarksville (Acts of 1806, Chapter 19) was repealed.
5. Acts of 1817, Chapter 138, scheduled court terms for the circuit courts of every county in Tennessee. In Robertson County the circuit court would take up the docket on the second Monday in April and October.
6. Acts of 1819, Chapter 154, changed the opening dates of the circuit court terms for several counties listed in the act. Although Robertson County was among them, the terms in that county were not changed from the second Monday in April and October.
7. Acts of 1825, Chapter 31, provided that all the cases appealed from the Fifth, Eighth, and Ninth Judicial Circuits would go to the court of appeals at Reynoldsburgh in Humphreys County, except those originating in Robertson County, Montgomery County, and Dickson County whose citizens were given the option of filing the appeals in Nashville.
8. Acts of 1831, Chapter 53, stated that all appeals and writs of error arising in the counties of Montgomery, Robertson, and Dickson would hereafter be taken to the Court of Appeals at Nashville from the circuit and chancery courts, if any of the parties in the case were residents of the above three counties.
9. Acts of 1835-36, Chapter 5, was enacted subsequent to the adoption of the 1835 Constitution. Circuit Courts would thereafter convene three times each year in regular term in every court in Tennessee. Of the eleven Judicial Circuits formed in the State, the Seventh was composed of the counties of Dickson, Hickman, Humphreys, Stewart, Montgomery and Robertson whose circuit court terms would start on the first Monday in January, May and September.
10. Acts of 1839-40, Chapter 16, declared that the circuit court of Robertson County would hereafter be held on the first Monday in June, October and February, but the next term would be held according to the schedule in effect under the law.
11. Acts of 1841-42, Chapter 27, changed the circuit court terms for the counties in the Seventh Judicial Circuit which were Robertson, Dickson, Stewart, Montgomery, and Humphreys. Robertson County, however, retained the first Monday in February, June and October as its opening date.
12. Acts of 1847-48, Chapter 49, reset the opening days of the terms of the circuit court in Montgomery County, Humphreys County, Stewart County and Robertson County which went to the second Monday in February, June and October.
13. Acts of 1859-60, Chapter 13, returned the opening dates of the Robertson County Circuit Court to the first Monday in February, June and October, all laws to the contrary notwithstanding.
14. Acts of 1870, Chapter 31, organized the lower judicial system of Tennessee into fifteen regular, and one special, judicial circuit, after the 1870 Constitution went into effect. The 10th Judicial Circuit contained the counties of Robertson, Montgomery, Stewart, Cheatham, Dickson, Humphreys and Sumner.
15. Acts of 1870, Chapter 46, established the opening dates of the circuit court terms for every county in the State. In Robertson County the circuit court would begin regular terms on the first Monday in February, June and October.
16. Acts of 1885 (Ex. Sess.), Chapter 20, divided the state into fourteen regular, and one special, Judicial Circuit in the next complete revision of the lower judicial structure. The 10th Judicial Circuit comprised the counties of Sumner, Robertson, Montgomery (for civil cases only), Stewart, Houston, Dickson, and Humphreys. Court would continue to meet in Robertson County at Springfield on the first Monday in February, June and October.
17. Acts of 1889, Chapter 98, amended Acts of 1885 (Ex. Sess.), Chapter 20, so that the circuit court would be held in Robertson County on the fourth Monday in January, the first Monday in June, and the fourth Monday in September. All conflicting laws were repealed.
18. Acts of 1899, Chapter 409, returned the opening dates for the regular terms of the circuit court in Robertson County to the first Monday in February, June and October.
19. Acts of 1899, Chapter 427, completely reorganized the Judicial Circuits and Chancery Divisions

across the State. The Act formed fourteen Judicial Circuits, assigning the counties of Robertson, Montgomery, Stewart, Houston, Humphreys, Cheatham, Dickson, and Sumner to the 9th Judicial Circuit. Court terms would start in Robertson County on the fourth Monday in January, May and September.

20. Acts of 1901, Chapter 365, fixed the court terms for the various counties by removing Williamson County from the Ninth Judicial Circuit and placing it in the Second Judicial Circuit. The Act was repealed by Acts of 1901, Chapter 382.
21. Acts of 1901, Chapter 397, removed Williamson County out of the 9th Judicial Circuit and placed it in the Seventh Judicial Circuit, repealing the portions of the prior Act which placed the County in the 9th Circuit and the Act above, which placed Williamson County in the Second Judicial Circuit.
22. Private Acts of 1903, Chapter 29, set up new court terms for the counties in the 9th Judicial Circuit. The Circuit contained the counties of Sumner, Cheatham, Montgomery, Houston, Stewart, Dickson, Humphreys, and Robertson whose circuit court at Springfield would open on the first Monday in February, June and October each year. All bonds and process were to be made to conform to the above changes.
23. Private Acts of 1909, Chapter 329, rescheduled the circuit court terms for the counties in the Ninth Judicial Circuit which was composed of the same counties. Robertson County retained the dates of the first Monday in February, June and October.
24. Public Acts of 1931 (2nd Ex. Sess.), Chapter 38, completely overhauled the lower court system in this last act to appear in the volumes of private acts. The State was separated into 20 Judicial Circuits with the counties of Sumner, Robertson, Montgomery, Stewart, Houston, Dickson and Humphreys constituting the Ninth Judicial Circuit. Court terms in Robertson County would continue to open on the first Monday in February, June and October.
25. Private Acts of 1965, Chapter 220, created and established the domestic relations and workman's compensation court of Robertson County. This act was repealed by the Private Acts of 1996, Chapter 165. The jurisdiction of all previously filed cases in the court were to be assumed by the Chancery and Circuit Courts for Robertson County.

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

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

1. Acts of 1903, Chapter 255, was a statewide salary act which involved only the circuit court clerks. The annual compensation of the clerks was to be determined by the population class of the county in which they served. This act was one of the predecessors of the current Tennessee salary acts. According to our census information for 1900 the circuit court clerk of Robertson County would have been entitled to \$1,000 annually. Of the fees of the office, which had to be reported to the county judge, or chairman in a sworn, itemized statement, if the fees failed to meet the above salary, the county would make up the deficiency, but, if the fees exceeded the wages, the clerk could retain the excess for himself.
2. Private Acts of 1911, Chapter 675, amended Private Acts of 1903, Chapter 255, so that the circuit court clerk in all counties between 25,000 and 30,000 in population, according to the 1910 census, would be paid \$1,500 per year, provided there was also a Law Court in the county which the circuit court clerk was also serving. The above population figures involved Robertson County and several others, too numerous to mention.
3. Private Acts of 1923, Chapter 524, stated that the circuit court clerk of Robertson County (identified by the 1920 Federal Census figures) was to be paid \$1200 annually provided the clerk filed a sworn, itemized statement annually with the County Judge, or Chairman, showing the total amount of fees collected in the office. If the collections were less than the above salary, the county was required to supply the difference, but, if the collections exceeded the salary, the clerk was allowed to keep the excess as his own.
4. Private Acts of 1933, Chapter 566, provided that, in Robertson County (identified by the 1930 Federal Census figures), the annual salary of the circuit court clerk would be \$3,000, or less, beginning on September 1, 1934. If the fees of the office exceeded the \$3,000 the excess would be paid into the public treasury, but, if the fees failed to reach that amount, whatever amount was collected by the clerk would be his annual salary.
5. Private Acts of 1939, Chapter 195, which created the General Sessions Court of Robertson County, also provided that the circuit court clerk would be the clerk for the civil docket in the new court.

6. Private Acts of 1941, Chapter 365, was the act creating the General Sessions Court of Robertson County after the 1939 act, above, was repealed. This Act made the circuit court clerk the clerk of both the civil and criminal cases arising in the General Sessions Court.
7. Private Acts of 1947, Chapter 469, also established a General Sessions Court in Robertson County and designated the circuit court clerk as the clerk of the new General Sessions Court for both civil and criminal cases.

### **Criminal Court**

The following acts once pertained to the Robertson County Criminal Court, but are no longer current law. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1935, Chapter 383, established a criminal court in Springfield for Robertson County, which was given the same jurisdiction as the circuit courts had in the trial of indictments and presentments of all misdemeanors and offenses against the state up to and including petit larceny to the exclusion of the circuit court, the records of which cases would be transferred to the new court. The circuit court clerk would be the clerk of the court, whose judge could empanel juries. The records of this court would be kept separate and the county judge would be the judge of this court. The Sheriff would maintain order in the court and serve its process. The Board of Jury Commissioners would furnish the jurors needed by the court for regular terms.
2. Private Acts of 1935 (Ex. Sess.), Chapter 9, amended the above act to broaden the jurisdiction of the court to include also all offenses against the state wherein the maximum punishment therefor was not greater than the maximum punishment for petit larceny, namely, five years in the penitentiary.
3. Private Acts of 1937, Chapter 257, amended Private Acts of 1935, Chapter 383, by repeating the amendment enacted in the 1935 Special Session, described above, by including several minor procedural amendments; by fixing the salary of the Judge at \$600 annually for holding the court. Section 15 was rewritten which concerned the selection of juries for the court.
4. Private Acts of 1941, Chapter 133, expressly repealed Private Acts of 1935, Chapter 383, above, and abolished the criminal court established by that act. All cases pending and undisposed of in that court would be transferred to the circuit court for trial and disposition.
5. Public Acts of 1972, Chapter 442, created a special criminal court for the Ninth Judicial Circuit which at that time was composed of Robertson and Sumner Counties. This act was superseded by T.C.A. § 16-2-506.

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

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

1. Acts of 1807, Chapter 13, provided that one fit and proper person would be appointed in the manner authorized by the State Constitution to attend the several superior courts in all the districts, including the Robertson District who would prosecute all the causes to which the State was a party and render other services of a similar nature. The persons so appointed would be paid \$45 for each session of a superior court attended and participated in.
2. Acts of 1817, Chapter 65, set up ten Solicitorial Districts in the State of Tennessee in which the Tenth Solicitorial District was made up of the counties of Dickson, Stewart, Humphreys, Montgomery, and Robertson. An Attorney-General would be designated in each district who would prosecute, or defend, all suits to which the State was a party at a salary of \$150 annually.
3. Acts of 1835-36, Chapter 28, made each Solicitorial District in the State of Tennessee coincide with each of the judicial circuits having criminal jurisdiction.
4. Public Acts of 1963, Chapter 358, created the office of Assistant District Attorney General for the 9th Judicial Circuit.
5. Public Acts of 1972, Chapter 489, created an additional Assistant District Attorney General for the 9th Judicial Circuit.
6. Public Acts of 1973, Chapter 74, created the position of criminal investigator for the 9th Judicial Circuit.

### **General Sessions Court**

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



1. Private Acts of 1939, Chapter 195, created a General Sessions Court for Robertson County at Springfield for which the county would furnish a court room, furnishings, and supplies to be paid out of the ordinary county funds. The Court was given the jurisdiction and authority of Justices of the Peace who could still issue warrants and set bonds but all would be returnable to the General Sessions Court. The Plaintiff was required to make a \$25 cost bond, or deposit cash from \$1.50 to \$25 with the clerk for any case could proceed. Court costs and the fees for officers would remain as they had been in the Justice's Courts. Separate civil and criminal dockets would be kept. There would be one Judge at an annual salary of \$1,800 which could not be changed during the term. The Governor would appoint the first Judge but the people would elect all those to follow. The Sheriff would keep order and serve all the process issuing from the Court while the Circuit Court Clerk and the Criminal Court Clerk would perform those clerical duties for the Court at a salary of \$600 per each year. This Act was repealed by Private Acts of 1941, Chapter 384.
2. Private Acts of 1941, Chapter 365, created another General Sessions Court in Robertson County, the above act being repealed, with many of the provisions of this Act being identical with those of the repealed act. Justices of the Peace were divested of all their authority and jurisdiction except to issue criminal warrants and search warrants which were returnable to the General Sessions Court. The Clerks were directed to keep minutes of the proceedings of the court. One Judge would preside over the court who would be sworn and commissioned as other judges, who would be a licensed attorney, whose annual salary was \$2,400, payable in equal monthly installments, and who could not practice law privately. The Honorable W. Earl Swann was appointed under this legislation as the first Judge of the Court who would serve until his successor, elected by the people at the next general August election, would assume office.
3. Private Acts of 1941, Chapter 384, expressly repealed Private Acts of 1939, Chapter 195, which created the Robertson County General Sessions Court.
4. Private Acts of 1947, Chapter 294, amended Private Acts of 1941, Chapter 365, in Section 12, by increasing the annual compensation of the Clerks of the General Sessions Court from \$900 to \$1,200.
5. Private Acts of 1947, Chapter 469, created a General Sessions Court for Robertson County which included the same fundamental provisions for the operation of the Court as were provided in the two preceding Acts setting up the Courts. In this Act the Judge was given the power to issue extraordinary writs of process as did any other judge, would devote full time to the duties of this office and be paid \$2,600 per year as compensation in equal monthly installments. The act named W. Earl Swann as the first Judge who would serve until his successor was chosen by popular vote. The Circuit Court Clerk would serve as the Clerk of the Court, and appeals from this Court would go to the Circuit Court in civil cases and to the Criminal Court in criminal cases. This Act was upheld in *Freeman v. Swann*, 192 Tenn. 146, 237 S.W.2d 964 (1951).
6. Private Acts of 1947, Chapter 470, specifically repealed Private Acts of 1941, Chapter 365, above, as the same was written and amended.
7. Private Acts of 1955, Chapter 137, expressly repealed Private Acts of 1947, Chapter 469, above, in its entirety, and abolished the Court created therein.
8. Private Acts of 1982, Chapter 322, transferred juvenile jurisdiction to the General Sessions Court and provided for \$4,000 annual compensation to the Judge for this added responsibility. The Circuit Court Clerk was designated as the Clerk of the Juvenile Court. This Act was considered by the Robertson County Legislative Body on July 19, 1982, and was not approved, therefore making it void.
9. Private Acts of 2005, Chapter 51, created a Part II of the general sessions court to be effective September 1, 2006. The qualified voters would elect a person to serve as judge of the new court for an eight-year term. This act was deferred by the Robertson County Legislative Body and never became law.

## Chapter VI - Education/Schools

### Lease/Purchase with Springfield

### Private Acts of 1947 Chapter 697

**SECTION 1.** That the County of Robertson, acting through its quarterly County Court in regular session or special session called for such purpose, is hereby authorized to lease from the City of Springfield, for such

consideration as may be mutually agreed upon between the parties, for a period not to exceed five years from the date of such lease of all the school properties of said City; and the said City of Springfield, acting through its Quarterly County Court in the manner above stated, is expressly authorized to purchase any or all of said properties from the City of Springfield for a consideration mutually agreed upon between the parties, as well as the terms of payment of such consideration; and the said City of Springfield, acting through its governing body, is hereby expressly authorized to sell and convey unto said County any and all of said properties. The lease on behalf of the County shall be executed by the County Judge and countersigned by the County Court Clerk and on behalf of the city shall be executed by its Mayor and countersigned by its Commissioner of Schools. The same officials respectively shall execute any conveyance of said properties that may be made between the parties.

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

Passed: March 7, 1947.

## Education/Schools - Historical Notes

### **Board of Education**

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

1. Private Acts of 1907, Chapter 236, abolished the office of District Directors in the school system and placed each one under the management and control of a county board of education and a district board of advisors. The County Courts of each county would divide their counties into five school districts and appoint one member of the board of education from each district until their successors could be elected by popular vote. The Superintendent of Schools would serve as Secretary of the Board. The duties of the Chairman, the Secretary, and the members of the Board were all enumerated in the Act. Teachers were required to submit certain written reports or have their pay suspended. A three member advisory board would be elected by popular vote in each district who were directed to take and report a scholastic census in each district. This Act did not apply to city school systems and several counties exempted themselves from it in Section 17 but Robertson County was not among their number.
2. Private Acts of 1947, Chapter 721, provided that in Robertson County (identified by the use of the 1940 Federal Census figures) the Mayor and the commissioner of schools at the county seat would be ex-officio members of the county Board of Education who would be entitled to participate in the deliberations of the Board and to vote thereon in the same capacity and to the same extent as other members of the Board, but neither would receive any extra compensation for his services. This Act was repealed by Private Acts of 1970, Chapter 217.
3. Private Acts of 1951, Chapter 268, amended Private Acts of 1947, Chapter 721, in Section 1 by removing the provision which made the Mayor of Springfield an ex-officio member of the County Board of Education but leaving the commissioner of schools.
4. Private Acts of 1951, Chapter 269, provided that in Robertson County there would be elected, in addition to the number now provided by law, one other member to the County Board of Education by the Quarterly Court at its July session who could serve for seven years and be entitled to participate in the deliberations of the Board and vote upon all matters to the same extent as any other Board member. The one selected would be a resident of and qualified voter in the county seat of the county and a person of recognized integrity.
5. Private Acts of 1953, Chapter 394, stated that in Robertson County (identified by the 1950 Federal Census figures) there would be elected, in addition to all other members now provided by law, two other members of the County Board of Education by the Quarterly Court at its July, 1953, session, one such added member to serve for one year, and the other to serve for two years following their elections. Thereafter, the added members would have a term of seven years. The new members must be residents of the county, people of integrity and good repute, and would be entitled to participate in, and to vote upon, all matters coming before the Board. This Act was repealed by Private Acts of 1970, Chapter 217, published herein.
6. Private Acts of 1970, Chapter 217, as amended by Private Acts of 1979, Chapter 67, established five school zones from which one member from each zone was elected by the county legislative body to serve on the Robertson County Board of Education for a term of six years.

### **General Reference**

The following acts constitute part of the administrative and political heritage of the educational structure

of Robertson County but are no longer operative since they have either been superseded, repealed, or failed to receive local approval. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1806, Chapter 8, established county academies in every county then existing in the State and appointed Trustees for each. In Robertson County Liberty Academy would be the county academy and its trustees were John Baker, Sr., Thomas Johnston, Josiah Fort, James Norfleet, and John Coleman.
2. Acts of 1807, Chapter 56, set up county academies in several counties and appointed additional Trustees for others. The Act named Thomas Swan, Plummer Willis, Isaac Dortch, Joseph Washington, and James Sawyers, as additional Trustees having all the power and authority as the others.
3. Acts of 1811, Chapter 29, again increased the number of Trustees for Liberty Academy and appointed John Hutchinson, William Adams, Anderson Cheatham, Ethelbert C. Williams, William Armstrong, James Gambill, James A. Brian, and Jack E. Turner to the Board of Trustees.
4. Acts of 1817, Chapter 165, added William C. Conrad, Leonard P. Cheatham, and Henry Fry, to the Board of Trustees of Liberty Academy in Robertson County who were given all the power and authority of the other Trustees.
5. Acts of 1823, Chapter 235, named William Seal, Richard Cheatham, and John T. Priestly as Trustees for Liberty Academy.
6. Acts of 1833, Chapter 179, ratified, confirmed, and validated the appointments to the Board of Common School Commissioners for Robertson County, and all their actions and proceedings done by virtue of their appointments to the Board were termed as valid and as good as if the commissioners had been elected within the time required by law, any law to the contrary notwithstanding.
7. Acts of 1847-48, Chapter 163, incorporated Joakin Green, William H. Farmer, Robert S. Hicks, Washington Lowe, Edward S. Cheatham, Thomas Meneese, James E. Rice, and Westley W. Pepper, as the Trustees for the Springfield Academy in Robertson County under those rules and regulations commonly and generally imposed upon corporate institutes of learning.
8. Acts of 1857-58, Chapter 75, was the legal authority for the common school commissioners of the First Civil District in Robertson County to draw an order on the county trustee to pay over the money for the tuition of the said children of Robertson County who go to school in Mitchellville in Sumner County, in proportion to the amount the children would have been entitled to had they attended school in Robertson County. However, these children had to be in attendance at the above school and were not to go to school in Robertson County.
9. Acts of 1899, Chapter 364, created a sub-school district of the 14th School District of Cheatham County out of portions of that county and Robertson County. The area involved was described by a metes and bounds description. All residents of the new school district would have the same rights and privileges as when they were in the 14th School District. An approximate taxing provision was included in the Act.
10. Private Acts of 1901, Chapter 239, set up the "White House Special School District" out of portions of Sumner County and Robertson County, as the territory of Schools in Sumner County would appoint two of the three School Directors and the Superintendent in Robertson County would designate the other one, the three of whom would manage and direct the schools in the area. The children residing in the prescribed area would be enumerated and listed and were entitled to attend the schools free of charge. School funds would be apportioned in each county according to the ratio of pupils in that county to the whole number of students attending the school.
11. Private Acts of 1903, Chapter 240, abolished every school district in the State which was not created by a special act of the General Assembly. Each school district was made coextensive with the civil district in which they were located. Funds would revert to the School Districts created by this Act and special elections would be conducted to choose the three school directors for each District.
12. Private Acts of 1905, Chapter 122, established under a description which began at the north end of Washington Bridge over Sulphur Fork Creek in the 8th Civil District of Robertson County and continued around the perimeter of the District a Special School District called School District #21. The County Superintendent of Public Instruction was authorized to appoint three school directors for the District who would serve until their successors, elected in the next general August election could take office. The Clerk of the District would compile an accurate census of the students in the area for the Board and the county trustee who would base the proportionate share of school funds

- for the District upon that compilation of students.
13. Private Acts of 1905, Chapter 189, amended Private Acts of 1903, Chapter 240, which was a general law forming school districts in the State, by changing the Districts and the Directors of the school districts in Robertson County.
  14. Private Acts of 1907, Chapter 500, made the corporate limits of the city of Greenbrier in Robertson County the boundaries of one of the school districts in the county. Directors for the District were to be elected at the same time as other directors were. The Mayor and Aldermen of Springfield were to select three Directors to serve until the others could be elected by popular vote. This Act was repealed by the one following.
  15. Private Acts of 1909, Chapter 58, repealed Private Acts of 1907, Chapter 500, which established the Greenbrier Special School District, in its entirety.
  16. Private Acts of 1917, Chapter 566, organized the Orlinda Special School District in the First and Second Civil District of Robertson County embracing the territory described in the Act. Officers of the District would be incorporated as a nine member Board of Directors. The Act appointed F. P. Kelly, A. W. McNeeley, J. B. Payne, Byron Johnson, Henry Dodson, G. R. Jones, V. E. Crocker, R. L. Porter, and W. W. Gilbert, as the first Board of Directors to serve until their successors, elected by popular vote, could take office. Vacancies on the Board were to be filled by the remaining members. The powers and duties of the Board were to be filled by the remaining members. The powers and duties of the Board were spelled out in eleven paragraphs in Section 5. Funds would be divided after the school population was determined. A special tax of 40 cents per \$100 property valuation was levied in the District in order to maintain the schools and keep them open for nine months in the year, plus a \$1 poll tax was imposed on all between ages of 21 and 50. All children living in this District could attend school free, others were to pay a tuition set by the Board. The Board would choose their officers from among their number. This Act was repealed by the one following.
  17. Private Acts of 1919, Chapter 605, repealed Private Acts of 1917, Chapter 566. This Act proceeded then to fashion the Orlinda Special School District out of portions of the First, Second, Fifteenth, and Eighteenth Civil Districts of Robertson County as the same was described in the Act. A five member Board of Directors would be the officers of the District who would serve two year terms to which the act named G. R. Jones, Byron Johnson, H. W. McNeeley, E. W. Lunsford, and Robert Sanders, as the first Board who would fill their own vacancies and select their own officers themselves. The remainder of the Act was substantially the same as the Act repealed analyzed above. This Act specified that no other act would be abridged by this one.
  18. Private Acts of 1920, Chapter 60, amended Private Acts of 1919, Chapter 605, by rearranging the boundary lines of the said School District as they were described in this amending act (making it difficult to detect the changes simply by comparing descriptions) and Section 5 was amended by reducing the property tax rate from 40 cents to 25 cents per \$100 property valuation.
  19. Private Acts of 1921, Chapter 123, formed the Coopertown Special School District in the 13th Civil District of Robertson County except for that portion south of the line delineated in the act so as to preserve intact the District known as the Martin Chapel's School District. An Advisory Board of five members would manage the District to which the act named J. M. Keller, J. M. Frey, Charles R. Cobbs, Moses Felts, and T. O. McMahan as the first Board Members, who would serve until their successors were elected to two year terms by the people in the District. The powers and duties of the Board were specified in the act. To maintain the schools and keep them open for nine months each year, a general school tax of 15 cents per \$100 property valuation, and a \$1 poll tax on all people in the District between the ages of 21 and 50 were both levied. All resident children could attend free of charge. This Act would not abridge, or diminish, any powers previously granted under the law. (See Covington v. Cook, 159 Tenn. 437, 19 S.W.2d (1929)).
  20. Private Acts of 1921, Chapter 300, created the Cross Plains Special School District which was composed of parts of the Second, Eleventh, and Fifteenth Civil Districts in Robertson County, more particularly described in the Act. A nine member Board of Directors would serve as the officers of the District who would serve two year terms after being elected by popular vote. A special school tax of 2½ mills, and a \$1 Poll Tax on those between the age of 21 and 50 were composed to support and maintain the schools in the District. This Act designated Dr. J. W. Thomas, Dr. J. T. Spain, J. E. Cook, J. M. Dorris, C. K. Howard, W. L. Saunders, G. H. Powell, W. M. Swann, and J. K. Simmons, as the first Board Members. Taxes were to be paid to the Trustee who would disburse them under the direction of the board. Other provisions were similar to those mentioned above.
  21. Private Acts of 1921, Chapter 551, framed the Barren Plains Special School District as it was

- described in the act from portions of the Third, Fourth, and Ninth Civil Districts in Robertson County. The District would be supervised by a five member Board of Directors to which the act appointed C. H. Garrett, J. S. Hollingsworth, R. H. Mason, J. E. Gunn, and W. L. Taylor, as the first members who would serve until their successors were elected at the polls. The special tax rate to support the schools was fixed at 20 cents per \$100, plus a \$1 Poll Tax would be paid by all between the ages of 21 and 50. The remainder of the act was identical to the others regarding special school districts.
22. Private Acts of 1921, Chapter 943, amended Private Acts of 1919, Chapter 605, by changing the boundary lines of the Orlinda School District to include the farms of T. J. Anderson, in the 15th Civil District, known as the Strother farm; to include the farms of H. T. Stratton and C. T. Farris which were located in the Second Civil District; and the farm of Joe Crossway, also in the 2nd Civil District. The tax rate in the School District was increased from 25 cents to 35 cents per \$100 property valuation.
  23. Private Acts of 1923, Chapter 208, devised the Cedar Hill Special School District which was composed of the area described in the act. A five member Board of Advisors would supervise the District serving two year terms. This act appointed T. J. Fyke, J. S. Adams, M. S. Long, W. E. Bigger and John C. Clark, as the first Board members to serve until their successors were elected by vote of the people. A special tax of 15 cents per \$100 property valuation and a \$1 Poll Tax on all between ages of 21 and 50 would be collected by the County Trustee and paid to the Treasurer of the school District to maintain them and keep them open at least nine months in the year. Other terms were basically the same as those above.
  24. Private Acts of 1923, Chapter 345, formed the John E. Garner Special School District which included the areas of Robertson County described in this Act. This School District would be administered by a five member Board of Advisors, serving two year terms after being elected by popular vote. D. D. Kenton, R. B. Overby, R. C. Smiley, Wade Hadley, and George C. Hackney were nominated by this act to serve as the Board of Advisors until their successors were elected and assumed office. A poll Tax of \$1 was levied on all residents of the District between the ages of 21 and 50, and a special school tax of 15 cents per \$100 property valuation was imposed to operate and maintain the school.
  25. Private Acts of 1923, Chapter 523, originated the Sadlersville Special School District in the 17th Civil District of Robertson County, except that portion east and south of the line described in the act which area was omitted in order to preserve the boundaries of other school districts. The Bill named Hogan Bryant, R. H. Parker, A. F. Tilley, Buford Sweeney, and Buford Warfield as the first Board of Advisors for the District who would serve staggered terms until their successors, elected by the people, would take office for two years. A special school tax of 35 cents per \$100 property valuation and a \$1 Poll Tax on those between 21 and 50 years of age were levied to operate the schools. The Act contained the fundamental language of the other acts regarding school districts.
  26. Private Acts of 1923, Chapter 525, fabricated the Bell Hill School Special School District in the 6th Civil District of Robertson County, which included the town of Adams, and part of the 17th Civil District lying south and east of Elk Fork Creek as the same was more particularly described in the Act. A nine member Advisory Board would supervise and manage the District for which the act designated C. H. Fort, R. S. Holloway, Matthew Woodruff, Dr. C. B. Bell, Dr. J. R. Connell, Dr. L. F. Sory, H. R. Head, H. E. Qualls, and W. D. Sugg, as its first members who were to serve until their successors were elected and qualified.
  27. Public Acts of 1925, Chapter 115, abolished all school districts which were not taxing districts, allowed those which were taxing districts to hold a referendum on the question of their abolition, when all the debts of any school district were paid, the District was permitted to join the public school system. This Act has been codified as Title 49, Tennessee Code Annotated, and the above as Section 49-402, and following of the Code.
  28. Private Acts of 1925, Chapter 361, amended Private Acts of 1919, Chapter 605, by revising the description of the boundaries of the Orlinda School District in Robertson County so that the land and residence belonging to W. L. Sawyers was excluded from the District.
  29. Private Acts of 1927, Chapter 650, amended Private Acts of 1921, Chapter 300, by redescribing a portion of the perimeter boundary lines of the Cross Plains Special School District so that the territory within the metes and bounds of the description would be added to the District. The tax rate established in Section 5 was increased from 2½ to 4 Mills and the Advisory Board was authorized to use the funds in those areas of the School District which the Board considered proper.
  30. Private Acts of 1927, Chapter 651, amended Private Acts of 1923, Chapter 523, which act created

- the Saddlersville Special School District by reducing the prescribed tax rate in the District from 35 cents to 10 cents per \$100 property valuation but the reduction would only be in effect for the year 1927, and no other.
31. Private Acts of 1929, Chapter 572, amended Private Acts of 1921, Chapter 300, which originated the Cross Plains Special School District, Item 20, above, reduced the tax levy in the School District from 4 Mills to 1½ Mills which reduction, however, would be suspended if the bonds authorized in this Act were not sold but otherwise the reduction would not be suspended. The 4 Mill levy would be in effect in 1928 and the \$1 Poll Tax suspended but only if the bonds were sold. Subject to an affirmative vote of the people, the Cross Plains Special School District was authorized to issue and sell up to \$15,000 to erect a school building in the District, at an interest rate not to exceed 5½% and which bonds would mature according to the schedule in the Act. The Treasurer of the School District, the County Superintendent of Schools, and the County Judge were constituted a Committee to supervise the sale of the bonds. The referendum would be held under the regular election laws of the State. The Act levied a 30 cent property tax on each \$100 valuation and a Poll Tax of \$1 on every person between ages of 21 and 50 which would be used to repay the bonds.
  32. Private Acts of 1929, Chapter 698, amended Private Acts of 1921, Chapter 123, by rewriting Section One of the Act to form the Coopertown Special School District to include all the 13th Civil District and part of the 16th Civil District of Robertson County which area was described more particularly in the Act. A new Section was added between Sections 7 and 8 which was the legal authority of the District, upon an affirmative vote of the people therein, to issue and sell up to \$15,000 in bonds to construct a school building and gymnasium, and acquire whatever land might be necessary. The interest rate of the bonds could not exceed 5½%, and the maturity schedule fixed in the Act must be followed. Another new Section (7b) named the Treasurer of the District, the Superintendent of County Schools, and the County Judge as a Committee to sell the bonds, providing the details for the same. A special school tax of 27 cents per \$100 property valuation and a Poll Tax of \$1 were to be levied to amortize the bonds.
  33. Private Acts of 1929, Chapter 699, amended Private Acts of 1921, Chapter 551, which originated the Barren Plains School District in Item 21, above, to grant the authority to the Advisory Board of the District to issue up to \$4,000 in bonds to build a school house provided the proposal was approved by the people in a referendum election. The details of the election were specified including a simple "For" or "Against" ballot. If defeated, the proposition could be resubmitted to the voters in a year. The interest rate was not to exceed 6% on the bonds nor the maturity schedule deviate from the one provided in the Act. An additional tax levy of ten cents per \$100 property valuation for 1929, and each year thereafter, must be levied until the bonds and interest were paid. The money would be paid into the hands of the Trustee and disbursed on the warrant of the Advisory Board signed by the Treasurer and the Chairman. The building would be built under the supervision of the County Board of Education.
  34. Private Acts of 1929 (Ex. Sess.), Chapter 81, allowed the Quarterly Court of Robertson County to issue and sell up to \$30,000 in bonds, or interest bearing warrants to supplement the school funds of the county, at an interest rate of 6%, or less, and maturing annually at the rate of \$1,000 each year. All the details of a valid bond issue were present and the tax levy to amortize these bonds was required.
  35. Private Acts of 1931, Chapter 266, amended Private Acts of 1923, Chapter 208, so as to include within the power and jurisdiction of the Advisory Board of the Cedar Hill School District the authority to borrow money to make the necessary improvements and repairs on the school buildings in the area. The Board was also vested with the authority to ratify and approve any loans which may have been negotiated heretofore in the District. Loans thus made could be a lien against specific properties in the School District.
  36. Private Acts of 1931, Chapter 273, amended Private Acts of 1921, Chapter 300, as that act has been amended, so as to enlarge the Cross Plains School District to include two parcels of property as the same were particularly described in the Act. These tracts were owned by Marion Cook and R. L. Simmons and were located in the 15th Civil District of the county.
  37. Private Acts of 1931, Chapter 820, recited in the preamble that Private Acts of 1923, Chapter 523, created the Sadlersville School District as described in that act and located mostly in the 17th Civil District of Robertson County and the same expired by limitation later but some debts were left behind which were not paid, and it is non-essential to re-establish the District in order to raise the funds to pay the debts, this Act then reformed the same district with the same boundaries as before, naming Hogan Bryant, R. H. Parker, A. F. Tilley, Sr., Buford Sweeney, and Buford Warfield, as the Advisory Board who would operate the District until all the debts were paid. A tax

- levy of 5 cents per \$100 property valuation could be levied in 1931 and for the next four years, as well as a \$1 poll tax, so that the debts totaling about \$2,150 in all, could be paid. This Act was repealed below.
38. Private Acts of 1933, Chapter 525, amended Private Acts of 1921, Chapter 300, as amended, by adding an additional tax of 10 cents per \$100 to the existing tax levy in the School District in Cross Plains for the year 1934, and every year afterwards, until the \$15,000 in bonds, and interest, were paid.
  39. Private Acts of 1935, Chapter 475, expressly repealed Private Acts of 1931, Chapter 820, concerning the Sadlersville School District as the same was written.
  40. Private Acts of 1937, Chapter 57, stated that all the prior actions of the Advisory Board of the Orlinda School District in Robertson County, heretofore taken in connection with the issue and sale of \$7,000 in bonds on December 31, 1935, which bonds would mature at a rate of \$500 annually were hereby ratified, confirmed, legalized, and validated despite the lack of any statutory authority to do so or because of any defect in the bond.
  41. Private Acts of 1937, Chapter 66, amended Private Acts of 1921, Chapter 551, which created the Barren Plains Special School District so as to take out and exclude from the boundaries of the District the farm owned by Mrs. Ella King, containing some 268 acres, more or less, as the farm was described in the Acts.
  42. Private Acts of 1937, Chapter 480, amended Private Acts of 1921, Chapter 551, which devised the Barren Plains School District by rearranging the boundaries to exclude the farm owned by Barbee Holman, containing 192 acres, more or less, as the same was more particularly described in the Act.
  43. Private Acts of 1939, Chapter 290, framed the boundaries of the John E. Garner Special School District out of portions of the 12th, 9th, 10th, and 16th Civil Districts as the same was minutely and legally described in the Act. The officers of the School District would be a seven member Advisory Board to which the Act named as its first members C. G. Phelps, Douglas C. Phelps, J. F. Fisher, R. M. Stacker, R. B. Yates, John R. Kemper, and L. T. Robertson, who would serve until their successors were elected by popular vote and assumed office. The Board would have a chairman, a secretary, and a treasurer and exercise the powers specifically mentioned in the Act. Upon the affirmative vote of the residents in a referendum, the Board could issue up to \$13,500 in bonds, at an interest rate of 5%, or lower, which were to be amortized according to the schedule in the Act. The Treasurer of the District, the Superintendent of the county's schools, and the county judge would form a committee to sell the bonds. A tax levy of 15 cents per \$100 property valuation, plus a poll tax of \$1, was levied to repay the bonds and interest but would stay imposed even if the bonds were not authorized in the referendum.
  44. Private Acts of 1941, Chapter 200, was the enabling legislation for the John E. Garner School District in Robertson County to issue its bonds up to \$5,000 to construct, improve, and equip a gymnasium. The interest rate could not exceed 4% and the bonds would mature on February 1, 1957. The entire bond form was set out in the Act verbatim. An additional tax levy of 5 cents per \$100 property valuation was levied for 1941, and would be every year afterwards until the bonds were paid. The Chairman of the Board and the Secretary of the Board of Education would handle the bond sale.
  45. Private Acts of 1943, Chapter 133, amended Private Acts of 1923, Chapter 208, above, by rewriting the description of the boundaries of the Cedar Hill Special District in Section One which description covered three and one-half printed pages, making it most difficult to determine the nature of the changes.
  46. Private Acts of 1943, Chapter 451, amended Private Acts of 1923, Chapter 525, which established the Bell High School District in Robertson County by reducing the tax rate specified from 15 cents to 5 cents per \$100 property valuation starting in 1943.
  47. Private Acts of 1943, Chapter 469, amended Private Acts of 1919, Chapter 605, by adding a provision at the end of Section 5 that the Board of Advisors of the District could borrow money on the credit of the School District in an amount not to exceed \$2,500 and to execute short term notes for the same payable no longer than 6 months thereafter which could not bear interest in excess of 6%. The notes could be renewed but the amount was not to go over \$2,500. The tax money authorized to be levied and collected under the original act would be used to pay the notes.
  48. Private Acts of 1943, Chapter 470, stated that, subject to the affirmative vote of the people in a referendum in the District, the Orlinda School District was authorized to sell bonds up to \$10,000

for the construction of school buildings in the District. The Election Commission of Robertson County would hold the election under regular election laws with a "For" or "Against" ballot. The interest rate could not exceed 6% nor the maturity period of 25 years from date of issue, same to be decided by the Advisory Board. The bonds were to be general obligation bonds for the payment of which a tax levy of 35 cents per \$100 property valuation, and a poll tax of \$1, would be levied, which would be continuation of the taxes now being levied to run until the bonds were liquidated. The proceeds would be handled by the Trustee subject to the orders and directions of the Advisory Board.

49. Private Acts of 1945, Chapter 161, realigned the boundaries of the Barren Plains Special School District in Robertson County by amending Private Acts of 1921, Chapter 551, so that the District now contained portions of the Third, Fourth, Fifty, Ninth and Eighteenth Civil Districts. A more particular legal description was present in the Act, which would be effective on July 1, 1946.
50. Private Acts of 1945, Chapter 261, amended Private Acts of 1921, Chapter 123, by changing the boundaries of the Coopertown School District to include portions of the Ninth, Thirteenth, Twelfth, and Sixteenth Civil Districts of Robertson County, all of which was carefully described in the Act.
51. Private Acts of 1947, Chapter 696, was the enabling legislation for the Quarterly Court of Robertson County to assume any, or all, of the bonded indebtedness owned by any special school district which was located wholly within the county. All the details of the assumption of the debt would be incorporated into a Resolution and adopted by the Quarterly Court. Upon receipt of a copy of the Resolution, the Trustee would proceed to carry out the provisions of the Resolution by making the payments as directed.
52. Private Acts of 1947, Chapter 697, was the authority for the Quarterly Court of Robertson county to lease from the city of Springfield certain school properties under certain conditions.
53. Private Acts of 1949, Chapter 249, directed the County Trustee of Robertson County (identified by the use of the 1940 Federal Census figures) to pay and to turn over to the county school fund any and all sums of money now in his possession, or which might hereafter come into his possession by virtue of any tax levied and collected by or on behalf of any special school district.
54. Private Acts of 1949, Chapter 412, specifically repealed Private Acts of 1921, Chapter 300, and all the amendments thereto, which created and established the Orlinda Special School District.
55. Private Acts of 1949, Chapter 413, repealed Private Acts of 1919, Chapter 605, and all the amendments thereto, which established the Orlinda Special School District.
56. Private Acts of 1949, Chapter 414, specifically repealed Private Acts of 1923, Chapter 525, and all the amendments to that act which devised the Bell High Special School District.
57. Private Acts of 1949, Chapter 415, repealed Private Acts of 1921, Chapter 551, and all its amendments, which established the Barren Plains School District and the District was abolished.
58. Private Acts of 1949, Chapter 416, repealed in its entirety with all the amendments Private Acts of 1923, Chapter 345, which created the John E. Garner School District which was thereby abolished.
59. Private Acts of 1949, Chapter 417, repealed Private Acts of 1921, Chapter 123, and all amendments relating to the Coopertown Special School District.
60. Private Acts of 1949, Chapter 418, repealed Private Acts of 1923, Chapter 208, and all the amendments, thus abolishing the Cedar Hill School District.
61. Private Acts of 1951, Chapter 556, stated in its preamble that Whitehouse, located on the boundary line between Sumner County and Robertson County, was unincorporated; that the school building in the town was in Sumner County but many students attending the school lived in Robertson County and contributed to the cost of the school operation. This Act was the enabling legislation for Robertson County, acting through its Board of Education, to expend such sums as it deemed right and proper from the school funds of the county for such additions, repairs, and reconstruction of the school as the two Board of Education might agree upon.

## Chapter VII - Elections

### Elections - Historical Notes

#### **Districts - Reapportionment**

The acts listed below have affected the civil districts in Robertson County, but are no longer operative regarding elections. Also referenced below is an act which repealed prior law without providing new



substantive provisions.

1. Acts of 1835-36, Chapter 1, instructed the General Assembly of Tennessee, subject to the terms of the newly adopted State Constitution, to appoint suitable persons in each county as commissioners to lay out the civil districts of the county according to the population records of 1833. The standards for doing so were expressed in the act, one of them being that each county having 3,000 or more, qualified voters would have 25 civil districts; between 2,500 and 3,000 voters, they would have 20 civil districts, and on down the graduated scale. Each civil district would have two Justices of the Peace and one Constable except the District with the county seat would be entitled to three Justices of the Peace and two Constables. Resolution #3 appointed the Commissioners for the counties. In Robertson County those named were Andrew Stewart, Jesse Ellis, James Woodard, James Sprouse, and Warren S. Payne.
2. Acts of 1859-60, Chapter 211, established a new 15th Civil District in Robertson County which began at Gaines Winfield's blacksmith shop on the pike running due west to the east line of the 10th Civil District, thence with that line, and further, making four miles; thence east to a point on the pike; thence south to the beginning, making the district four miles by seven. The precinct, or voting place, for the District would be at Cross Plains. William Villines, George Fisher, and James M. Eatherly were named as the Commissioners to run and mark the lines of the district.
3. Private Acts of 1905, Chapter 307, changed the boundary lines between the 13th Civil District and the 14th Civil District so that the farm of J. A. Elliott would be wholly within the 13th Civil District.
4. Private Acts of 1909, Chapter 452, redistricted Robertson County by abolishing all the civil districts from the Second through the Eighteenth except the Ninth, and by creating new civil districts in their places. The new First Civil District was made up of the old First and Second; Second District had the old Third and Fourth; the Third District included the Old Fifth, Sixth and Seventeenth; the Fourth District contained the old Seventh and Eighth; the Fifth District had the old Thirteenth and Fourteenth; the Sixth District included the old Twelfth and Sixteenth; the Seventh District comprised the old Eleventh and Fifteenth; and the Eighth District was made up of the old Tenth and Eighteenth. The Ninth District remained as it was then delineated. All the offices in the discontinued districts were abolished. The County Election Commission would hold special elections to choose the new officers for the newly formed civil districts. This Act was repealed by the one following.
5. Private Acts of 1911, Chapter 176, expressly repealed Private Acts of 1909, Chapter 452, and all the civil districts which were abolished by that Act were restored along with their original boundaries. Elections would be held as soon as possible in order to select the officials of the restored Districts who would serve until the next general election when officers would be chosen for a full term of

## **Elections**

The following is a listing of acts for Robertson 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 1796, Chapter 1, required that the candidates to represent the new State of Tennessee in the U. S. Congress must have been residence of the State for at least three years. At the close of the election the election officer would meet at Knoxville, Jonesboro, and Nashville to count and check the ballots.
2. Acts of 1796, Chapter 4, this Act named the delegates from each county in Tennessee who would meet to select the Electors of the President and Vice-President of the United States to represent Tennessee in the Electoral College. (The printed condition of this act was such as to make it impossible to read names of the delegates).
3. Acts of 1797, Chapter 1, was virtually a duplicate of the 1796 Act which set up the procedures to elect one Congressman from the State under the regular election laws in existence. The method for counting and verifying the ballots cast in the election was prescribed in the act.
4. Acts of 1798, Chapter 16, fixed the number of Senators in the General Assembly of Tennessee at twelve, and the Representative at twenty-four. Four Senators and eight Representatives would be elected by each of the three Districts in the State, Washington, Hamilton, and Mero. Robertson County would have one of the eight Representatives in the Mero District and share a Senator with Montgomery County.
5. Acts of 1799, Chapter 46, provided that Tennessee would furnish three Presidential Electors to the Electoral College, one from each district of Washington, Hamilton and Mero. This Act named the people from each county who would meet to select the Electors. John Baker, John Jones, and

Thomas Johnson were appointed from Robertson County. Votes would be checked and counted at Jonesboro, Knoxville and Nashville.

6. Acts of 1801, Chapter 44, required that such Representatives as Tennessee might have in the United States Congress would be elected at large in the State.
7. Acts of 1803, Chapter 24, divided Tennessee into five sections for the election of the Presidential Electors. The Counties of Davidson, Williamson, Robertson, Montgomery, Stewart, Rutherford, and Dickson composed the Fifth Electoral District. The election was to take place on the first Thursday and Friday in November, 1804, with the returns being counted at Nashville following the election as soon as practical.
8. Acts of 1803, Chapter 79, allowed for three Representatives from Tennessee in the U. S. Congress, one from each of Washington and Hamilton Districts, and one from the combined Districts of Mero, Robertson, and Winchester. The regulations for holding the election were enumerated in the Bill.
9. Acts of 1805, Chapter 64, set the number of Senators in the General Assembly at 13 and the Representatives at 26. The counties of Robertson, Dickson, Montgomery, and Stewart made up one Senatorial District whose votes would be tallied at Clarksville. Robertson County and Dickson County would share one of the 26 Representatives.
10. Acts of 1807, Chapter 74, required the Sheriff of each county to open and hold an election according to the rules of law for the Electors of the President and Vice-President of the county. The Fifth District of the five established contained the counties of Davidson, Robertson, Montgomery, Stewart, Dickson, Williamson, Maury, Rutherford, Bedford, and Hickman with the votes being compared at Nashville. The election would occur on the second Thursday in November, 1808.
11. Acts of 1809, Chapter 1, required an election to be held for the three U. S. Congressional Representatives, one from the Washington District, one from the Hamilton District, and one from the combined Mero, Robertson, and Winchester Districts. Polls would be counted and compared at Clarksville.
12. Acts of 1811, Chapter 16, made it the duty of the Sheriff, or his Deputy, of Robertson County, to open and hold an election on the Constitutional days at the home of Henry Hide, who lived on the road leading from Springfield to Weadley's Ferry on the Cumberland River. Anyone qualified to vote in Robertson County could vote at this place. The returns from the precinct would be made at Springfield.
13. Acts of 1812, Chapter 5, set up eight Presidential Electoral Districts in the State. The Eighth District contained the counties of Robertson, Montgomery, Stewart, Dickson, Hickman, and Humphreys. The election would be held on the first Thursday and Friday in November, 1812, and the polls would be compared at Charlotte in Dickson County. Electors were to be paid \$2.50 per day and ten cents per mile for travel.
14. Acts of 1812, Chapter 27, divided Tennessee into six U. S. Congressional Districts. The Sixth District was made up of the counties of Robertson, Montgomery, Dickson, Humphreys, Hickman, Stewart, Maury and Giles.
15. Acts of 1812, Chapter 37, imposed the duty upon the Sheriff, or his Deputy, of Robertson County, on the days appointed by law to hold a separate election at the house of Charles Kilgore on Harrington's Fork of the Red River under the regular election laws. It was also the responsibility of the election officials to count the votes and report the results at Springfield.
16. Acts of 1812, Chapter 57, apportioned the representation in the General Assembly to 20 Senators and 40 Representatives. One Senatorial District included the counties of Robertson, Dickson, and Hickman whose votes would be canvassed at Charlotte. All the counties would have at least one Representative, the more populous being given more than one, except that Dickson and Hickman would share a Representative.
17. Acts of 1813, Chapter 53, seemed to be a duplicate of the Act requiring the Sheriff of Robertson County to hold a separate election at the house of Charles Kilgore, Acts of 1812, Chapter 37, above. The same regulations in effect at Henry Hide's place would be in force here.
18. Acts of 1815, Chapter 5, placed upon the Sheriff of Robertson County, or his Deputy, the responsibility of holding a separate election on those days appointed under the law at the home of Charles Miles in the said county.
19. Acts of 1815, Chapter 31, formed eight Presidential Electoral Districts in Tennessee which would contain the same counties as were specified in the previous Act enacted for this purpose (Acts of

- 1812, Chapter 5). Electors would receive the same compensation as before.
20. Acts of 1819, Chapter 69, assigned the counties of Robertson and Montgomery to one of the 20 State Senatorial Districts whose votes were to be canvassed at Port Royal, and Robertson county would elect one Representative alone out of the 40.
21. Acts of 1820, Chapter 127, Sections 3 and 4, provided that the separate election heretofore held at the house of Charles Kilgore in Robertson County would hereafter take place at the home of George Randall at Cross Plains, and Section 4 was the authority for two other precincts in the county, one at the house of John Chote and the other at the house of Benjamin Roxney.
22. Acts of 1822, Chapter 1, organized Tennessee into 9 U. S. Congressional Districts. The 8th U. S. Congressional District comprised the counties of Robertson, Montgomery, Dickson, Stewart, Humphreys and Hickman.
23. Acts of 1823, Chapter 47, established eleven Presidential Electoral Districts in the State assigning the counties of Montgomery, Robertson, Stewart, Dickson, Humphreys, and Hickman to the Tenth Electoral District. The election would occur on the first Thursday in November, 1824. Polls would be counted at Charlotte in Dickson County.
24. Acts of 1824, Chapter 1, was an exact duplicate of Acts of 1823, Chapter 47, above, setting up eleven U. S. Presidential Electoral Districts.
25. Acts of 1826, Chapter 3, fixed the representation in the State General Assembly. The counties of Robertson, Montgomery, and Dickson constituted one of the 20 Senatorial Districts, whose votes would be certified at the house of Thomas Williams in Montgomery County, and Robertson County was given one of the 40 Representatives alone.
26. Acts of 1827, Chapter 17, divided Tennessee into eleven Presidential Electoral Districts in which the counties of Robertson, Montgomery, Dickson, Stewart, Humphreys, and Perry made up the Tenth District. The election would be held on the second Thursday and Friday in November, 1828. Polls would be canvassed at Charlotte.
27. Acts of 1832, Chapter 4, formed 13 U. S. Congressional Districts in Tennessee. The Eleventh U. S. Congressional District consisted of the counties of Robertson, Montgomery, Stewart, Humphreys, Hickman and Dickson.
28. Acts of 1832, Chapter 9, created fifteen Presidential Electoral Districts in the State. The 13th Electoral District included the counties of Robertson, Montgomery, Stewart, Dickson and Humphreys. The Electors would meet on the first Monday and Tuesday in November next and cast their votes for the President.
29. Acts of 1833, Chapter 71, apportioned the General Assembly of the State into 20 Senatorial District and 40 Representative Districts. Robertson County, Dickson County, and Montgomery County constituted one Senatorial District with the votes to be counted at Thomas Williams in Montgomery County. Montgomery County and Robertson County would share a joint Representative.
30. Acts of 1833, Chapter 76, was the enabling law to call a convention composed of 60 delegates who were to be elected on the first Thursday and Friday, next, in March, and would convene in Nashville on the third Monday in May, next, to amend, alter, change, or rewrite the State Constitution. One delegate would be elected in Robertson County.
31. Acts of 1835-36, Chapter 39, enacted pursuant to the adoption of the new State Constitution organized Tennessee into 15 Presidential Electoral Districts. The 13th District contained the counties of Robertson, Montgomery, Stewart, Dickson and Humphreys. The election would occur on the first Tuesday in November, 1836, and officers were to meet in Nashville.
32. Acts of 1837-38, Chapter 8, instructed the Sheriffs to hold elections in certain named counties to ascertain whether or not the county of Cumberland should be formed, part of which county would come from Robertson County.
33. Acts of 1839-40, Chapter 79, provided that hereafter each Congressional District in the State would also be an electoral district for the President.
34. Acts of 1842, Chapter 1, fixed the number of Senators in the Tennessee General Assembly at 25, and the number of Representatives at 50. Robertson County and Montgomery County made up the 18th Senatorial District counting the polls at Port Royal. Robertson County would elect one Representative alone.
35. Acts of 1842, Chapter 7, established eleven U. S. Congressional Districts in Tennessee of which the 9th Congressional District contained the counties of Robertson, Montgomery, Stewart, Dickson, Humphreys, Benton, and Henry.

36. Acts of 1845-46, Chapter 30, required the Sheriff of Robertson County on the second Saturday in January, next, and every year thereafter to open and hold an election at the courthouse in Springfield to elect the officers of that corporation and city. A failure to hold the said election would result in a fine and a forfeiture of office.
37. Acts of 1851-52, Chapter 196, framed the State into ten U. S. Congressional Districts. The Eighth Congressional District was composed of the counties of Davidson, Robertson, Montgomery, Stewart, and Dickson.
38. Acts of 1851-52, Chapter 197, placed the counties of Robertson, Montgomery, and Stewart into one State Senatorial District, counting polls at Clarksville. Robertson County would elect one of the 50 Representatives alone, and share another with Davidson and Montgomery.
39. Acts of 1865, Chapter 34, divided Tennessee into eight U. S. Congressional Districts in the aftermath of the civil war. The Fifth Congressional District contained the counties of Williamson, Davidson, Wilson, Sumner, Robertson, and Cheatham.
40. Acts of 1869-70, Chapter 105, authorized a referendum election to be held on whether or not a constitutional convention should be called which would have 75 delegates elected from the Representative and Senatorial Districts of the State. The said convention, if authorized, would convene in Nashville on the second Monday in January, 1870, to alter, amend, change, revise, or rewrite the State Constitution of 1835.
41. Acts of 1871, Chapter 146, assigned Robertson County one of the 50 State Representatives and placed Robertson County, Montgomery County, and Stewart County in the 17th State Senatorial District.
42. Acts of 1872, Chapter 7, formed Tennessee into nine U. S. Congressional Districts. The counties of Robertson, Cheatham, Davidson, Sumner, Wilson, Trousdale, and DeKalb composed the Fifth Congressional District.
43. Acts of 1873, Chapter 27, added a 10th U. S. Congressional District to the State which forced the reassignment of some counties. The Fourth Congressional District was made up of counties of Fentress, Overton, Putnam, Jackson, Clay, Macon, Smith, Trousdale, Wilson, Sumner, and Robertson.
44. Acts of 1881 (Ex. Sess.), Chapter 5, made the number of Senators in the General Assembly at 33 and the number of Representatives at 99 on a permanent basis.
45. Acts of 1881 (Ex. Sess.), Chapter 6, reapportioned Tennessee according to the new allotments of Senators and Representatives. Robertson County was granted one Representative alone and would share a Senator with Sumner County and Trousdale County in the 12th Senatorial District.
46. Acts of 1882, Chapter 27, reorganized the ten U. S. Congressional Districts in Tennessee. The Sixth District included the counties of Davidson, Robertson, Cheatham, Montgomery, Stewart, Humphreys and Houston.
47. Acts of 1891, Chapter 131, was the next act regarding the U. S. Congressional Districts but made no change in the Sixth District and very little in the others.
48. Acts of 1891 (Ex. Sess.), Chapter 10, reapportioned the General Assembly of the State. Robertson County had one Representative alone and shared a floater with Davidson and Cheatham. Robertson County and Montgomery County constituted the 15th State Senatorial District.
49. Acts of 1901, Chapter 109, reorganized the ten U. S. Congressional Districts in the State. The Sixth District had in it the counties of Davidson, Cheatham, Robertson, Stewart, and Montgomery.
50. Acts of 1901, Chapter 122, was the last Act to apportion the General Assembly until the passage of over 60 years. Montgomery County and Robertson County would share the 15th State Senatorial District. Robertson County would elect one Representative alone and jointly elect another one with Williamson and Cheatham Counties.
51. Private Acts of 1929, Chapter 162, provided that in Robertson County (identified by the use of the 1920 Federal Census figures) all officers holding any State, County or municipal election, or any other election authorized by law, would be paid \$2 a day for their services.
52. Private Acts of 1941, Chapter 201, provided that in the civil districts in Robertson County which contained more than one incorporated city the polling places in all the elections of every kind and character would open at 9:00 A.M. and close at 7:00 P.M.
53. Private Acts of 1949, Chapter 779, stated that in all the incorporated towns of Robertson County the polls would open at all general and primary elections at 9:00 A.M. and close at 7:00 P.M.
54. Private Acts of 1949, Chapter 780, made it lawful after the passage of this Act for any person to

distribute cards, handbills, or placards, on behalf of any candidate, or cause, within 200 feet of any polling place during the hours of any election but nothing herein was intended to prohibit the posting of signs, posters, etc. before the opening of the polls. Violations were subject to fines from \$5 to \$25.

55. Private Acts of 1951, Chapter 607, provided that in Robertson County (identified by the 1940 Federal Census) referendum elections held for the purpose of determining whether or not bonds were to be issued under the provisions of their act authorizing the issuance of the same whether general or special legislation, would be called by the County Board of Election Commissioners who would fix a date for the election earlier than 50 days subsequent to March 1 of the calendar year in which such election was to be held, it being the intention of this law that those persons liable for poll tax could pay the same and vote in the election.

## Chapter VIII - Health

### County Hospital

### Board of Trust

### Private Acts of 1955 Chapter 120

**SECTION 1.** That there is hereby established as a legal entity the Robertson County Hospital Trust, of Robertson County, Tennessee, under the name and style of "Robertson County Hospital Trust."

**SECTION 2.** That said trust is authorized and empowered to receive by gift, conveyance, devise or bequest from any person, firm or corporation any real or personal property for the use and benefit of the Jesse Holman Jones Hospital in Robertson County, or for such hospital under any name which may hereinafter be given to it in whole or part, or for other nonprofit hospitals, or for the care of indigents or other charitable purpose related to hospitals. Said trust is empowered, through the action of its board of trust hereinafter constituted, to buy, sell, otherwise dispose of, invest or re-invest, all said property. It may so invest or re-invest in such property as is or may be sanctioned by the law of Tennessee for fiduciaries, or under what is known as the prudent investor rule, and to receive interest, dividends and income therefrom. Said trust corpus and income will be applied in such manner, amounts and time or times as said board deems proper and necessary for said hospital or hospitals, either in operation, maintenance, construction, betterments or additions to said hospital or hospitals, or their appliances. Said trust corpus and income may also be applied for the charity care of indigents in hospitals or for other charitable purpose related to hospitals. However, said trust corpus and income may not be applied to any expenditures, or other activities, or for any non-exempt purposes, which are not charitable purposes consistent with the provisions of the United States Internal Revenue Code, 26 U.S.C. Section 501(c)(3). All the power so vested in said board will be freely exercised by it without court decree. Said board is freely empowered, without court decree, to institute and defend suits in its own name and style, as may be necessary for its purposes, and to employ and compensate counsel. Said board is further invested with all the power and authority now or hereafter given under the law of Tennessee to eleemosynary or charitable corporations. Said trust will have no power or authority over the actual operation of its hospitals, or over tax money or appropriations for said hospitals by the county legislative body of said county. Said trust may also accept, in its discretion, gifts, conveyances, devises and bequests of real and personal property for the use and benefit of said hospital under instruments where the purposes, powers and authority expressed in said instruments will prevail where different from that herein set out.

As amended by: Private Acts of 1988, Chapter 205

**SECTION 3.** That the board of said trust, will consist of a minimum of five (5) and a maximum of fourteen (14) members. The number of directors may be increased or decreased between the minimum and maximum limits by a majority vote of the entire board. The first members of said board are: J. B. Bell, James V. Sprouse, Charles Willett, W. F. Teasley, H. B. Glover, A. F. Frimble, J. D. Freeman, Louis R. Draughon, Grady L. Downey, Robert D. Moore, Sr., Bela D. King, H. H. Covington, Thomas Pepper, and Joel V. Bell. Said trustees will have continuous tenure, without bond, qualification in or report to Court, will receive no compensation, and assume no liability and are subject to no liability except for willful wrong done for their own personal profit, and the foregoing provisions will apply to all future trustees. In the event of death, inability to serve or refusal to serve of any trustee, present or future, the remaining trustees will fill the vacancy. Said board will select its own chairman, secretary-treasurer, from its membership; and other necessary subordinate officers and agents and servants, and incur and pay such expenses as it deems necessary to its operation. A majority of such members will constitute a quorum for

the transaction of business, and the concurrence of a majority of said quorum will be sufficient in any matter. All transactions of said board will be done in the name of said trust, by its chairman and attested by its secretary- treasurer. Said board will meet at least once yearly, and at such other times or time as may be required, upon the call of its chairman or by any three members thereof, and at such place or places as may be designated, for the transaction of all business. Complete records will be maintained by said board covering its activities, which records will be open to inspection by interested parties.

As amended by: Private Acts of 1988, Chapter 205

**SECTION 4.** That this Act shall have no effect unless the same shall have been approved by two-thirds vote of the Quarterly County Court of Robertson County, Tennessee, occurring more than thirty days after its approval by the Chief Executive of the State of Tennessee. Its approval or non-approval shall be proclaimed by the presiding officer of said Quarterly County Court, and shall be certified by him to the Secretary of State of Tennessee.

**SECTION 5.** That this Act take effect from and after its passage and proclamation of approval as aforesaid, the public welfare requiring it.

Passed: February 23, 1955.

## Jesse Holman Jones Hospital

### Private Acts of 1976 Chapter 237

**SECTION 1.** A nonprofit hospital to be known as the "Jesse Holman Jones Hospital," is hereby created and established for and in behalf of Robertson County.

**SECTION 2.** The hospital established under the provisions of this act shall be governed and controlled by a Board of Directors composed of five (5) members who shall serve for the same compensation as members of standing committees of the Robertson County Quarterly Court. The members of such board shall be elected annually by the Quarterly Court of Robertson County at its regular session in September. No physician, druggist or member of the Healing Arts shall be eligible for membership on the Board of Directors. No more than two (2) members of such board shall be members of the Quarterly County Court.

The following designated persons, until the first election, shall constitute the Board of Directors: Hugh Barber, R. H. Burnett, J. W. Dorris, Sr., Alvin Fowler, and E. Dee Reid.

**SECTION 3.** The Board of Directors shall have full authority to manage and control the Jesse Holman Jones Hospital and make all rules and regulations necessary for the administration of such hospital; to employ a hospital administrator and the necessary personnel for the operation thereof, to fix their compensation; to determine and prescribe the duties and responsibilities of such administrator and personnel; to purchase equipment, supplies, and repairs deemed necessary; and to administer the financial affairs of such hospital.

**SECTION 4.** The Board of Directors shall annually prepare and submit to the Quarterly County Court a budget reflecting in detail all estimated receipts and disbursements of such hospital. Such budget shall be for the fiscal year July 1 to June 30 and shall be submitted by the Board of Directors not later than June 1 prior to the commencement of the fiscal year.

**SECTION 5.** The Board of Directors shall prepare and submit to the Quarterly County Court during each quarter of each fiscal year, a complete financial statement and report, which, shall include, but not be limited to, a comparison of actual receipts and disbursements as of the dates of such financial statements. The County Judge, or a duly authorized representative of the County Court, shall have authority to inspect the financial records of the hospital at any time, during the normal business hours, and make such report, or reports, to the County Court as the said Court shall deem necessary.

**SECTION 6.** Upon approval of the Board of Directors, only physicians and dentists licensed to practice in the State of Tennessee who can document their background, experience, training, and demonstrated competence, their adherence to the ethics of their profession, and their good reputation shall constitute the medical staff of such hospital; and shall have the right to administer treatments to patients.

**SECTION 7.** Such hospital, under general rules and regulations promulgated by its Board of Directors, is authorized to make charges for services rendered to persons receiving treatment or admitted as patients in such hospital. Only persons who are indigent and are unable to pay for professional, medical and surgical services, including room and board in such hospital, shall be admitted thereto without paying the fees prescribed by the Board of Directors. No person other than any emergency case shall be admitted to such hospital without arrangements made to pay, except upon order of the Administrator of the hospital,

or the Board of Directors, who are hereby authorized to determine to their discretion whether or not any applicant is entitled to admission to the hospital as a charity patient.

**SECTION 8.** The Quarterly County Court of Robertson County is authorized to appropriate to the Board of Directors from the funds of the county, such sum as such Court may deem appropriate to finance the operation and maintenance of such hospital; and are authorized and empowered, also, to levy taxes sufficient for these purposes.

**SECTION 9.** Chapter 477 of the Private Acts of 1935, Chapter 511 of the Private Acts of 1941, Chapter 806 of the Private Acts of 1947, Chapter 200 of the Private Acts of 1963, and all other acts amendatory thereto, and any other act or amendment inconsistent with the provisions of this act are hereby expressly repealed.

**SECTION 10.** 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 11.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly County Court of Robertson County on or before the next regular meeting of such Quarterly County Court occurring more than thirty (30) days after its approval by the Chief Executive. Its approval or nonapproval shall be proclaimed by the presiding officer of the Quarterly County Court and certified by him to the Secretary of State.

**SECTION 12.** 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 July 1, 1976.

Passed: March 3, 1976.

## Toilets for Beer Establishments

### Private Acts of 1951 Chapter 592

**SECTION 1.** That in counties of this State having a population of not less than 29,000, nor more than 29,100, by the Federal Census of 1940, or any subsequent Federal Census, it shall be the duty of all persons operating public places where beer is sold or served to provide toilet facilities for both men and women. Such facilities shall be separate, shall be kept in a clean and sanitary condition and shall be available for inspection at all times while such places serving or selling beer shall be open for business.

It shall be the duty of the Sheriff and of his deputies of counties to which this Act applies to inspect such toilet facilities as frequently as their other duties will permit and to require repairs, sanitation and other necessary changes. Any owner or operator of any place where beer is sold failing to comply with the provisions of this Act or to comply with the directions of the Sheriff of such County with reference to sanitation shall be guilty of a misdemeanor and upon conviction, punishable accordingly.

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

Passed: March 16, 1951.

## Health - Historical Notes

The following summaries are included herein for reference purposes.

1. Acts of 1887, Chapter 146, named the 32 counties in the Eastern Section of Tennessee in the organization of the hospitals for the insane, which number included Robertson County.
2. Private Acts of 1935, Chapter 477, was the legal authority for the Quarterly Court of Robertson County to establish and maintain a county hospital. The Hospital would be governed and controlled by a Board of five directors named annually by the Quarterly Court at its October meeting, one director each from the north, south, east and west portions of the county and one at large. No physician would be eligible to serve on the Board. Quarterly Court could levy taxes to raise the funds to effectuate the provisions of this law. Rules for the admission of patients, the charges to be made, and the allowances for indigents were generally referred to in the act. This act was repealed by Private Acts of 1976, Chapter 237.
3. Private Acts of 1941, Chapter 511, amended Private Acts of 1935, Chapter 477, above, in Section 2, by establishing the method for choosing the Board of Directors for the County Hospital. This act was repealed by Private Acts of 1947, Chapter 806, and by Private Acts of 1976, Chapter 237.

4. Private Acts of 1947, Chapter 806, amended Private Acts of 1935, Chapter 477, above, in Section 2, by deleting the whole Section, thus repealing Private Acts of 1941, Chapter 511, in effect, and inserting a new Section 2, which allowed the Quarterly Court to select the five directors on the Board at its October meeting in the manner specified previously, one to come from major geographical sections of the county and one at large. Two members were to be taken from the Quarterly Court but no physician was permitted to serve on the Board. This Act was repealed by Private Acts of 1976, Chapter 237.
5. Private Acts of 1955, Chapter 120, set up a Board of Trust for hospitals in Robertson County and was properly ratified by the Quarterly Court.
6. Private Acts of 1955, Chapter 271, established a non-profit hospital in Robertson County to be called the Jesse Jones Memorial Hospital, to be controlled and managed by a seven member Board of Directors. Robert A. West, County Judge, John R. Long, Mayor of Springfield, and five others who were Mrs. Graydon Morris, Reams Rawls, John Dunn, Maxie Jones, and Mrs. Buelah Dunn, but no druggist, or physician could serve on the Board. The Board was given full authority to promulgate rules, hire an administrator, and otherwise manage the facility. All services could be charged but allowances were to be made for indigent patients. The Quarterly Court was empowered to levy taxes to support and maintain the hospital and Private Acts of 1935, Chapter 477, was repealed. This Act was rejected by the Quarterly Court of Robertson County and never became an effective law.
7. Private Acts of 1963, Chapter 200, amended Private Acts of 1935, Chapter 477, as it was amended prior to this Act, in Section 2 by changing the composition of the Board of Directors of the hospital to six in number who were to be elected annually by the Robertson County Quarterly Court, one each from the east, west, north and south portions of the county. Present members would continue in office until their successors were named by the court. These new Directors would serve initial staggered terms and then all terms after that would be for three years. This Act was rejected by the Quarterly Court and never became an active law in Robertson County. Further, it was expressly repealed by Private Acts of 1976, Chapter 237.
8. Private Acts of 1987, Chapter 7, which amended Chapter 120 of the Private Acts of 1955, included in its entirety herein, was not approved by the Robertson County Legislative Body and never became an effective law.

## Chapter IX - Highways and Roads

### Highway Zones

#### Private Acts of 1971 Chapter 70

**SECTION 1.** There is established for Robertson County, Tennessee, six (6) separate highway zones, from which shall be elected the members of the County Highway Commission as set forth in Section 2 below. These zones shall be established by the Robertson County Commission in such manner that the six (6) zones generally contain an approximate equivalent number of county citizens. The zones may be established by combining County Commission Districts or by such other manner as determined by the County Commission, and the zones may change in their boundary from time to time for this purpose.

As amended by:

Private Acts of 1979, Chapter 68

Private Acts of 2002, Chapter 147

**SECTION 2.** Commencing September 1, 1980, the County Highway Commission shall consist of six (6) members who shall be elected by the qualified voters of Robertson County at the regular general election in August, 1980, and every four (4) years thereafter. Members of the Highway Commission shall serve a term of four (4) years and until their successors are elected and qualified. One (1) member of the Highway Commission shall be elected from each of the county highway zones heretofore designated. If a vacancy occurs in the membership of the Highway Commission, the Board of County Commissioners, at its next regular meeting shall elect a qualified person from the highway zone in which the vacancy occurred, to serve the remainder of the unexpired term, if any time remains in said term. Vacancies shall be declared by the Highway Commission in the case of a member's death, resignation or the removal of residence from the highway zone from which the member was elected. The members of the Robertson County Highway Commission serving on the effective date of this act shall continue in their respective offices and shall constitute the Robertson County Highway Commission until their successors are elected pursuant to this act.

As amended by:

Private Acts of 1979, Chapter 68



**SECTION 3.** Section 3, Chapter 380, Private Acts of 1947, and Chapter 407, Private Acts of 1949, and all laws or parts of laws in conflict with the provisions of this act are hereby repealed.

**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 Robertson County on or before the next regular meeting of said court occurring not less than thirty (30) days after its approval by the chief executive of this state. Its approval or non-approval shall be proclaimed by the presiding officer of said court and shall be 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: April 14, 1971.

## Road Law

### Private Acts of 1947 Chapter 380

**SECTION 1.** That in Counties of this State having a population of not less than 29,000 nor more than 29,100 according to the Federal Census of 1940, or any subsequent Federal Census, the public roads and bridges of said Counties shall be laid out, classified, constructed, and maintained in the way and manner provided by this Act.

**SECTION 2.** That such Counties shall have the following rights and powers: (1) to lay out, construct, classify, close, change, repair and maintain public roads, highways and bridges; (2) to do any part of such work not otherwise provided for in this Act, by contract, or by day labor, or in any other manner deemed proper; (3) to purchase machinery, equipment, tools and materials for such work; (4) to cooperate with and contract with the United States of America, the State of Tennessee, or any other State or Counties of this or another State, or the agencies or officials of such, as to National, State, County or other highways or roads or bridges, when such roads or highways enter or run along such Counties included in this Act or such bridges are within or near such rock quarries and other public road and highway purposes; (6) to levy and collect taxes for such road, highway or bridge purposes; (7) to have all other rights and powers, not inconsistent with this Act, which are provided by general law for all Counties of this State as to roads, highways and bridges, and (8) to have a highway commission and a road supervision, and to require bond of any employee of such highway department or contractor, premium or cost of such bond of any such employee may be paid by the County.

**SECTION 3.** This section was repealed by Private Acts of 1971, Chapter 70, which established the current Robertson County highway zones.

**SECTION 4.** That within ten days from each such election any such Highway Commissioner so elected shall, before assuming the duties of his office, take and subscribe to an oath to faithfully and impartially discharge the duties of his office and execute bond in the sum of Five Thousand (\$5,000) Dollars, the expense of which, or premium on which, if to be paid by any such County, such bond to be to account according to law for all fund and property which may come under his care and control.

**SECTION 5.** That within ten days after the qualification of said first Commissioners and biennially thereafter, the first selection to be made at the regular meeting of such Commission next following September 1, 1948, the Commission shall proceed to organize by selecting a Chairman and Vice-Chairman and shall elect a Secretary and fix his compensation. The Secretary shall not be a member of the Commission. C. F. Walker is designated as Chairman until the meeting next following September 1, 1948.

As amended by:  
    Private Acts of 1965, Chapter 271  
    Private Acts of 1969, Chapter 20  
    Private Acts of 1974, Chapter 201

The Chairman of said Commission shall be the executive officer thereof and shall attend to the disposition of matters needing attention when such Commission is not actually in session. In the absence of the Chairman or his inability to act, the Vice-Chairman shall attend to such duties. The Secretary shall keep a permanent record of all proceedings of the Commission and shall perform such other duties as may be assigned to him by the Commission and shall hold office at the pleasure of such Commission.

**SECTION 6.** That for their services as highway commissioners, they shall receive five hundred twenty-five dollars (\$525) per month, with the chairman to receive the same amount. All of such expenditures shall be defrayed from the highway funds of said county. This section does not increase the compensation of any commissioner during the term for which such commissioner was elected.

As amended by:  
    Private Acts of 1969, Chapter 20  
    Private Acts of 1987, Chapter 112  
    Private Acts of 2002, Chapter 96

Private Acts of 2008, Chapter 64  
Private Acts of 2019, Chapter 13  
Private Acts of 2023, Chapter 26

**SECTION 7.** That no person shall be eligible to be elected to or to hold the office of such Highway Commissioner of any such road district who is a member of such Quarterly County Court, or who is not a resident of such road district and a freeholder therein. Any if any Commissioner shall cease to be such resident of such road district or a freeholder thereof, he shall no longer be such Commissioner and such Quarterly County Court shall elect his successor.

**SECTION 8.** That a majority of said Commissioners shall constitute a quorum for the transaction of business. Such Highway Commission shall meet at least once a month. Such regular meeting date shall be fixed and no notice of such regular meeting need be given the members of the Commission or the Secretary. But notice shall be given such members and the Secretary of any called meeting of said Commission. A meeting may be called by the Chairman of the Commission, or in his absence or inability to act, by the Vice-Chairman, or a meeting may be called by a majority of the members of the Commission. Three days' notice shall be sufficient time for the call and such notice may be by U. S. mail or otherwise. A meeting may be called on one day's notice personally served by someone on each member of the Commission. Such services may be by a private person who makes affidavit to the fact or by the Sheriff, a deputy or a constable who will certify to the fact as in case of process. Notice, however, may be waived, and attendance at a meeting is a waiver of notice of any such meeting or any irregularity in the call for the same. The Chairman will preside at all such meetings, and in his absence the other Chairman will preside. If both be absent the other members may elect a chairman for the meeting.

**SECTION 9.** That no member of such Highway Commission, or Road Supervisor, or any Superintendent or other employee of the Highway Department or any such County shall at any time be interested, directly or indirectly, financially or otherwise, in the acceptance or any contract with such Highway Department or any employee thereof, or in the doing or performance of any work or labor, in the sale of any material, or the purchase of any tools, machinery, equipment, bridge or appliance of any kind and character, for or on account of such Highway Department, or be interested in the construction, maintenance, or repairing of any of the roads, highways, or bridges of such County, other than in the regular performance of his duty and the collection of his per diem, salary or wages, as fixed herein or herein authorized.

**SECTION 10.** That said Highway Commission shall keep and maintain a public office, which said office shall be kept open on each business day within reasonable hours, and where the records, papers and documents connected with the administration of the roads, highways and bridges of such county shall be kept open for the free inspection of the public and anyone desiring to examine same. But nothing in this section shall be construed to prohibit said office from being kept in the office of the Chairman of said Commission, nor shall it be construed so as to make it mandatory on said Commission to keep anyone constantly in said office.

**SECTION 11.** That said Highway Commission is hereby given the following powers and the following duties are hereby required of it, coupled with the following restrictions, to-wit:

- (1) Have general charge of the laying out, construction, classification, closing, changing, repairing, and maintaining the public roads, highways and bridges of such Counties;
- (2) To provide the way and manner such work may be done, whether by contract, day labor or otherwise, as the Commission may determine;
- (3) To have control of all machinery, equipment, tools, property, real, personal and mixed, of the Highway Department, and all other items in any manner connected with the Highway Department of such Counties;
- (4) To set up from time to time schedules of wages and salaries to be paid, which shall be reasonable and not greater than wages being paid for similar services in the locality where services are performed, and which wages or salaries before being paid must have the approval of said Highway Commission. But this restriction shall not be construed to mean that there shall be bidding for such positions or advertisement as may be required by any law governing purchases, nor that the Road Supervisor herein provided for shall receive a salary any less than that herein specifically provided for.
- (5) To purchase or requisition all necessary machinery, equipment, tools, materials, and other items connected with or incident to the Highway Department of such Counties.
- (6) Said Commission shall keep or cause to be kept a record of all items purchased, the price paid, and when and from whom such purchase was made; and shall make or cause to be made as promptly as possible an inventory of all machinery, equipment, tools and property of each such County used in or connected with its Highway Department, showing the condition of such item and

its property value, and when such item so purchased or on hand is disposed of the date of the disposition of such item, to whom, and at which price shall be shown, so that at all times there is a permanent record of each item of property of such Highway Department.

(7) Such Commission shall keep, or cause to be kept, a record of all employees of such Highway Department, naming them, and the salary or wage each received and when such employment begins and when it ends.

(8) Such Commission shall lay out and classify all public roads of the County, divide the same into sections, or divisions, as may be necessary for their proper and efficient construction and maintenance, and shall make, or have made, a map or maps of all such roads, highways, and bridges, which shall be of permanent form and kept on hand, and shall change such map or maps from time to time to bring them down to date.

(9) Such Commission may provide for rights of way, gravel and stone or for the erection of bridges and other necessary road purposes by purchase or gift of real estate, or by condemnation thereof, but title shall always be taken in the name of any such County. To that end each such County shall have the right of eminent domain under Code Sections 3109 and 3134, inclusive, and all other condemnation acts, and laws of the State of Tennessee as now exist or as hereafter amended or passed, applicable to the taking by Counties of private property for public improvements, which rights and powers may be exercised by such Counties through said Highway Commissioners, and also as otherwise may be provided by the County Court of such Counties or by law.

(10) Applications to open, change, or close a road shall be made by written petition, signed by the applicant, addressed to said Commission, specifying in particular the changes or actions asked.

The Commission shall within ten days from the time such application is received by it give lawful notice to the parties interested of the time and place said petition will be acted upon, at which time and place said Commissioners, or a majority of them, will attend and pass upon said petition, and may condemn such land as is required for the opening of a new road of route or to change the same or to close a road, or dismiss such petition, but if the petition is granted then assess the damage to the landowner. Any interested person considering himself aggrieved by the Action of such Commission may appeal to the Judge or Chairman of the County Court of said County, and to the Circuit Court from his action, and to an Appellate Court from the action of such Circuit Court. But this method of procedure as to condemnation is not exclusive but cumulative. Damages occasioned by taking property under the power of eminent domain shall constitute a charge against both the highway and the general funds of such County.

(11) Such Commission shall have the supervision of the work of workhouse prisoners of such Counties, under such rules and regulations as may properly be made by Workhouse Board.

(12) Such Commission shall make a detailed written report to the Quarterly County Court of each such County on the first Monday in January and July, each year, and said report shall be a complete statement of all work done and ordered done, and of all funds received from any source and expended, and unexpended part of budget allowance, and shall also include a complete inventory of all machinery, equipment, implements, tools and materials then on hand and the approximate value of same, and such other detail as may be requested by such Quarterly Court, and shall also make such other reports as may be requested by said Quarterly Court.

(13) In the absence of any action with regard thereto by the Quarterly Court, the Highway Commission may require bond of any employee or employees of such Highway Department in an amount to be determined by it and conditioned to properly account for all monies and property which may come into his hands and to faithfully perform the duties of his employment, the premium for any such bond to be paid as other expenses of such Highway Department.

(14) Such Commission may require such reports as it may determine proper from any employee under it.

The Chairman of the Highway Commission shall be the purchasing agent for the same and shall purchase all materials, supplies and other necessities for said Commission. Purchases in excess of \$300.00 shall be made upon competitive bidding by means of sealed bids after due notice.

**SECTION 12.** That all expenditures, including those incurred in maintaining any office, paying any per diem, salaries, or wages, in any manner growing out of or connected with such Highway Department shall be made from the fund established or designated by the Quarterly County for highway, bridge and other road purposes.

**SECTION 13.** That such Highway Commission and all employees and agents thereof shall in all respects conform to and observe all budgeting, accounting, auditing and other acts and laws pertaining to such

Counties. And no expenditure shall be made or authorized in excess of any appropriated for any particular phase of such Highway Department. And it shall be the duty of such Commission to plan its work and expenditures so as to make the amount of such appropriated funds be sufficient for operations and purchases for the whole year, or as near as may be done.

**SECTION 14.** That nothing contained in this Act is intended to give any jurisdiction or authority to any such County, such Highway Commission, or any employees of such Commission, over or concerning any road, highway, bridge or other road appurtenance over which jurisdiction or control is by virtue of law vested in the U. S. Government, the State of Tennessee, or both, or other legal entity superior to any such County, or over any road, highway commission or committee which has been appointed for any such purpose of any enactment of the General Assembly of Tennessee, or County Quarterly Court resolution, but this Act does not apply to all other public roads, highways, bridges and public road appurtenances of such Counties. But said Commission shall cooperate with the Federal Government of the United States and of the Highway Department of the State of Tennessee in securing and maintaining a uniform, coordinate and efficient system of highways in such Counties.

**SECTION 15.** That the Chairman of such Highway Commission shall be the agent of any such County in dealing with Tennessee State Highway Department and with the Federal Government, or any road agency or road committee or either or both. And if necessary or required, such Chairman of such Highway Commission shall be so declared by such Highway Commission and so certified by the County Court Clerk of any such County or Secretary of such Commission.

**SECTION 16.** That in Counties coming within the provisions of this Act, such Highway Commission shall employ a county road supervisor. To be eligible for such position, or employment, one shall have had two years' training in a recognized school of engineering, or its equivalent, or shall have had at least two years' experience in supervisory capacity in highway or railroad construction. The compensation or salary of such Road Supervisor shall be fixed by said Highway Commission with the limits of the budget adopted by the Quarterly County Court and paid to him monthly, but in no case to exceed the maximum compensation set in Section 8-2403, Tennessee Code Annotated, for the Clerks of the County and Probate Courts in the class applicable to any County to which this Act applies. Such road supervisor shall serve at the pleasure of such Highway Commission, from month to month, but such Commission may contract for his services for a period of not in excess of one year. All other employees of said Highway Department shall serve at the pleasure of the Commission.

As amended by: Private Acts of 1965, Chapter 271  
Private Acts of 1967-68, Chapter 459

**SECTION 17.** That such Highway Commission shall supply such County Road Supervisor a means of conveyance and provide for the upkeep and maintenance of the same, for the performance of his duties. Said road supervisor shall make report in detail monthly to said Commission the expense of such upkeep and maintenance.

Such County Road Supervisor shall at all times be under the direction and control of such highway commission, and shall promptly do and perform all duties that are specifically imposed upon him by this Act, said Highway Commission or by law. Subject to the direction and control of said Commission, the following specific duties shall be performed by such County Road Supervisor:

- (1) He shall aid the Commission in the performance of its duties, particularly in establishing a system of roads and highways for the county, including bridges, and in dividing the same into sections and divisions, and mapping the same, and in laying out, changing and closing roads and highways and building bridges.

As amended by: Private Acts of 1993, Chapter 7

**COMPILER'S NOTE:** Items 2 and 3 were deleted as amended by the Private Acts of 1993, Chapter 76.

- (4) Employ, have charge of and direct the work of all superintendents, foremen, and other employees of such Highway Department and with the advice of said Highway Commission, to appoint or employ or discharge the same, as the case may be, but their compensation shall be according to the scale of prices or salaries and wages set up by the Highway Commission and approved by the Purchasing Agent of the county, the wage of any one employee shall not be more than that paid another employee for like services.

- (5) Have charge and control of all the machinery, equipment, tools and all other property of any such County connected with or belonging to the Highway Department thereof, and see that the same are properly treated, protected and kept in good repair, and look after the inventorying of the same and see that each item thereof is handled and accounted for as herein provided and as is required of the Highway Commission.

(6) Neither shall such County Road Supervisor nor any superintendent, or foreman or employee do any work while so employed by the Highway Department of the County for any private person or corporation nor shall any of the machinery, equipment, tools or property of the County Highway Department be so used, for compensation, exchange or under any other pretext, and it shall be the duty of the County Road Supervisor to see that this provision of law is enforced.

(7) Each and every item of machinery, equipment, tools, material, and other kind of property for said Highway Department shall be purchased through the Chairman of the County Highway Commission not exceeding the appropriation therefor as determined by the Quarterly Court of such County, and as may be determined within such restrictions by such highway commission, but it shall be the duty of the county road supervisor to make proper and timely requisitions for all such items to the purchasing Agent of such County and as required by law.

(8) Such road supervisor shall have supervision of the work of workhouse prisoners and direct where the same shall be done. And those having charge of such prisoners shall make them available for such purpose unless otherwise provided by the Quarterly Court. He shall have supervision of the work to be done by all persons liable for road duty and where and when the same shall be done. Such supervision and direction may be by him delegated to any superintendent, foreman, overseer or other employee of the Highway Department.

(9) All work done by road hands, or those subject to road duty, shall be done under the supervision of such road supervisor as may be directed by the Highway Commission.

**SECTION 18.** That it shall be the duty of the county highway commission herein provided to take steps looking toward the construction of the hard surfacing of all the principal roads under their jurisdiction in said County and to the end they may employ a competent engineer for the purpose of making preliminary surveys, estimates and plans of such system. In setting up such system, materials therefor shall be purchased out of the proceeds of the wheel tax not in effect in this county, but the costs of labor and rights of way shall be defrayed from other highway funds available to said Commission.

It shall be the duty of the highway commission on or before December 1 of each calendar year, to formulate and make public such hard-surfacing program designated by them to be put into effect for the ensuing calendar year. After such program shall have been adopted and made public, no change thereon shall be made except upon the approval of four members of said commission; provided, however, that in case for want of funds or other causes the complete program adopted for any year cannot be completed, then the commission shall place the remainder thereof upon its next succeeding year's program and shall proceed to its completion at once.

**SECTION 19.** That all male inhabitants of any such county, residing outside any incorporated town thereof, over 21 and under 50 years of age, except such persons as are permanently disabled from performing ordinary labor and are released by the Quarterly County Court of any such County, and present a certificate of the county court clerk, showing such release, shall work upon the road in his neighborhood or vicinity not less than five days, of nine hours each, each year, but any such road hand may be exempted from such service by furnishing an able-bodied substitute or paying \$1.00 per day for each day not worked on such road, to the trustee of such county on the receivable warrant of the county judge or chairman of the county court of any such county.

**SECTION 20.** That such highway commission shall have the right to determine when the road year for the working of such roads shall begin, when such work shall be done, and when and how such reports shall be made, but if it fails to do this then all such shall be governed by general law, and all general laws of the State of Tennessee in any manner relating to the public roads, highways, bridges, gravel beds and rock quarries not in conflict with this Act are made a part hereof and shall remain in full force and effect as to such Counties except as changed by this Act to make inapplicable by any other Acts especially applicable to such counties as this act is.

**SECTION 21.** That it shall be the duty of the Quarterly County Court to such county to levy a tax, not exceeding 20¢ on the hundred dollars worth of taxable property in said county for road, highway and bridge purposes at the same time each year that other taxes are levied. All funds thus derived from said levy shall be used in the construction and maintenance of roads, highways and bridges of the county, and other proper and necessary expenditures for the purposes provided for in this Act. But this shall not prevent the county from issuing bonds and providing for their payment and interest thereon. The taxes above provided shall be allowed by the trustee of any such county as other taxes are now collected.

**SECTION 22.** That all fines and forfeitures for failure to work the road and all commutations in lieu of road work and all monies received from the sale of any road or highway machinery, equipment, tools, or other items of road or highway property or material, gravel bars, and rock quarries, and all monies received from any source which should be credited to or received by the highway department of any such

county and all funds received by the highway department of any such county all funds received from the State of Tennessee or the Federal Government for road purposes, shall promptly be paid over, upon the receivable warrant of the county or chairman of the county court of any such county, to the county trustee and by such trustee placed to the credit of the county road and bridge fund, unless it is required by law in any specific instance to be placed to the credit of some other fund.

**SECTION 23.** That all laws or parts of laws in conflict with this Act be and the same are hereby repealed, particularly Chapter 142 of the Private Acts of 1943 of the General Assembly of Tennessee.

**SECTION 24.** That if any part of this Act be declared void or unconstitutional that shall not have the effect of rendering ineffective the remaining portion of this Act.

**SECTION 25.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: February 26, 1947.

## Highways and Roads - Historical Notes

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

1. Acts of 1804, Chapter 1, authorized the county courts to take charge of the public roads and the ferries in the county and to decide on the location of all the bridges. Included within the act were the procedures and methods to be observed in the process of establishing roads and making inventories of them. The County Courts were given the power to appoint commissioners for the roads and to levy taxes to accomplish the purposes herein specified.
2. Acts of 1821, Chapter 6, required the county courts of all the counties to index and to classify all the public roads in the counties primarily according to the width of the road and the surfacing material. The width ranged from a stage road down to one wide enough to pass two horses and riders on the way to mill or market. Penalties were included for obstructing the roads or for failure to observe the conditions of this act.
3. Acts of 1822, Chapter 68, named Richard Cheatham, Joel Moore, Henry Hart, Thomas Gunn, Sr., and Garland Williams, as Commissioners to open subscriptions and to receive donations to improve the navigation of the Red River from the junction of the Sulphur Fork of the River to the Kentucky State line. The Commissioners were directed to make reports to the court from time to time on the money received. When an amount deemed sufficient by the Quarterly Court of Robertson County was on hand it could be started and the commissioners could contract the project out. The owners of dams on the River must comply with all regulations. The Commissioners would make an adequate bond before receiving any donations or money.
4. Acts of 1835-36, Chapter 21, incorporated the Nashville and Kentucky Turnpike Company which would succeed to all the rights given to the older Franklin Turnpike Company. Commissioners were named in Davidson County and Sumner County to join Richard Cheatham, George C. Conrad, William Seal, and Thomas Farmer, all of Robertson County, to open books at Nashville, Gallatin and Springfield to sell 5,000 shares of stock at \$25 per share.
5. Acts of 1837-38, Chapter 180, extended the Whites Creek Turnpike through Springfield to the Kentucky line, and on to Russellville. All the stockholders were incorporated as the Whites Creek and Springfield Turnpike Company, possessing all the powers and privileges incidental to the operation of similar companies. Capital stock was set at 2,000 shares at \$50 par value. Henry Hart, George C. Conrad, and Vincent Williams, all of Robertson County, along with seven others named from Davidson County, would sell the authorized stock and any additional. Toll rates which were to be charged after completion of the road were stipulated in the book.
6. Acts of 1847-48, Chapter 1, incorporated James Woodard, Vincent Williams, Tyler Edwards, John M. Pope, Henry Hart, James Sprouse, Bayless Randolph, R. E. Hughes, R. H. Alley, Henry Frey, John S. Hutchison, D. P. Braden, David Henry, B. W. Miniss, Dr. Thomas Miniss, Dr. R. H. Hicks, G. B. Mason, D. M. Wells, and Colonel George W. Morris, all of Robertson County, to construct a turnpike road from the top of the ridge in Davidson County to the Kentucky line by way of Springfield under the style of the Springfield and Kentucky Turnpike Company. Construction of the road could be started as soon as \$5,000 in stock was subscribed and paid into their hands.
7. Acts of 1851-52, Chapter 265, was the legal authority for Joseph Hardaway, Kinchen Woodard, Robert Green, Richard Rose, G. B. Mason, Richard Farthing, Thomas Stark, Willie Holland, and Henry Wells, all residents of Robertson County, to open books and to sell stock to build a turnpike

road from Springfield to the Kentucky line by way of Barren Plains. The company would operate under the same rules as other turnpike companies. Section 18 of this same act on Page 447, authorized S. D. Bowers, David Porter, Thomas Porter, Thomas Krisle, M. Kirsle, John Cauts, Willie Woodard, Amos Moore, Jesse True, Benjamin Porter, David Henry, Miles Baird, and T. Harris, of Robertson County, to sell stock to build a turnpike road from Springfield to Cross Plains so as to intersect with any road leading from Cross Plains to the Kentucky line in the direction of Keysburg, at the most practical point selected by the stockholders.

8. Acts of 1851-52, Chapter 305, amended the act incorporating the Springfield and Manskoe's Creek Turnpike Company so that the grade of the said road must be within five degrees of level and the directors of the company could change the direction of the road at any time before construction.
9. Acts of 1853-54, Chapter 239, stated in the preamble that the State had never assisted Robertson County in the funds for internal improvement which would include aid for turnpikes and that the Mansker Creek and Springfield Turnpike Company had recently built a turnpike in the county from Sulphur Fork Creek, this act authorized the Governor to issue to the above corporation ten State bonds in the amount of \$1,000 each, payable in ten years, at 6% interest upon the company executing a note for that amount as a mortgage to the State on the property.
10. Acts of 1857-58, Chapter 79, incorporated a group of citizens of Robertson County and Montgomery County to open books and sell stock to a turnpike road which would begin at Springfield in Robertson County and run by such a route as a majority of the Commissioners could agree on to Port Royal in Montgomery County. The Commissioners could begin construction of the road as soon as \$5,000 was subscribed and paid in, and they were at liberty to begin at either terminus of the road.
11. Acts of 1857-58, Chapter 79, named another body of citizens in Robertson County and Sumner County as the incorporators of the Springfield and Gallatin Turnpike Company under the same terms and conditions prescribed in the Port Royal Act above. Section 21 of this same act amended and was the act setting up the Mansker Creek and Springfield Turnpike and Section 22 did the same for the Springfield and Barren Plains Turnpike.
12. Acts of 1859-60, Chapter 114, instructed the quarterly courts of Robertson County, and the other counties named in the Act to classify the public roads of the respective counties into three classes and to assess the property and polls of the counties which money would be used to keep up the repair on the said public roads under the direction and supervision of the Court. A referendum would be held and the people approve the same before a tax would be levied. The Courts were allowed to appoint a Road Commissioner to oversee the program. Taxpayers who desired could appoint the tax out of \$1 per day. Also included in the Act were special details on other aspects of the program. Section 14 extended the provisions of this Act to Robertson County.
13. Acts of 1867-68, Chapter 106, named Henry Porter, Thomas J. Krisle, John G. Coutts, Willie Woodard, C. B. Randolph, Wilson Pitts, David Henry, David Jones, L. J. Henry, John Woodard, John Cook, William F. Krisle, William Villines, and J. M. Eatherly, as Commissioners, to open books and sell stock in a turnpike road to be built from Springfield which would run to Cross Plains in Robertson County. All the customary details and provisions for laws of this nature were contained in the Act.
14. Acts of 1901, Chapter 136, was a general road law applicable to every Tennessee County under 70,000 in population. The County Court would select one Road Commissioner to serve two years from each of the Road Districts which were co-extensive with the civil districts of the county. These commissioners would be sworn, bonded, and placed in charge of the roads, bridges, hands, tools, and materials used in his area, and would be compensated at the rate of \$1 per day but for no more than ten days each year. The County Court would fix the number of compulsory days of labor on the roads at no less than five nor more than eight, and set the value of one day's work to be paid when missed. The County Courts could levy a special road tax of two cents per \$100 property valuation for each day road hands were required to work. Road Commissioners would name and supervise the Road Overseers in their Districts to supervise a specific section of road, and who would work the same number of days of compulsory work as others, but would be paid \$1 per day up to \$6 a year for work over that. The Commission had the authority to hear and dispose of petitions to open, close, or change roads, and were also instructed to classify and index the roads in their districts, and inspect them to see that they met the specifications. This Act was involved in the case of Carroll v. Griffith, 117 Tenn. 500, 97 S.W. 66 (1906).
15. Private Acts of 1905, Chapter 478, amended Acts of 1901, Chapter 136, in several smaller particulars concerning administrative matters, but principally in those sections dealing with the

- acquisition of rights of way especially where the exercise of eminent domain was necessary.
16. Private Acts of 1909, Chapter 444, recited in the preamble that Private Acts of 1903, Chapter 4, (see Bond Issues) authorized the issue of \$150,000 in bonds, based upon public approval in a referendum, which issue was approved but have not been sold to date, and a tax of 20 cents per \$100 property valuation was levied under that law which has been collected for two years and was on deposit in the bank, and there is no probability of the bonds being sold in the future, this act was the legal authority for the Robertson County Quarterly Court to use these funds on the other road programs, as their judgment and discretion might dictate. This Act was repealed by Private Acts of 1911, Chapter 215.
  17. Private Acts of 1909, Chapter 456, was applicable to Haywood County and Robertson County. The Quarterly Court of these counties at their first session after the passage of this act could choose three residences to be the "Board of Public Roads." The initial terms on the Board would be staggered but subsequent terms would all be for three years. This Board would be in charge of the planning and the execution of road programs in the county having the power to employ an engineer to assist them, or other competent assistants who would inspect the roads, write general specifications, and classify the roads in accordance with the criteria expressed in the act. The Board could draw on funds in the Trustee's hands for the accomplishment of their programs, and dispose of all the requests to open, close, or change roads. The Quarterly Court was granted the power of eminent domain to acquire property unavailable otherwise. Prisoners serving time in the county workhouse could be used on the roads under certain conditions of surveillance. This Act was repealed by the Act following insofar as it applied to Robertson County.
  18. Private Acts of 1911, Chapter 214, expressly repealed those portions of Private Acts of 1909, Chapter 456, as the same affected Robertson County, and the county was exempted from its future operation.
  19. . Private Acts of 1911, Chapter 215, repealed Private Acts of 1909, Chapter 444 in its entirety.
  20. Private Acts of 1913, Chapter 330, was apparently the first comprehensive road law for Robertson County. The Act formed a Highway Commission made up of four citizens appointed by the County Court and the County Judge who would be an ex-officio member and chairman. The Commissioners would come from the different geographical sections of the county, be sworn into office and be paid \$2 a day up to \$50 a year. They were to serve two years, have general supervision of roads in county, select a Secretary, and could hire an engineer to aid them in their endeavors. The Commission would purchase all tools, equipment, and materials, and appoint Foremen in the road districts who would work the compulsory time as others did but would be compensated for efforts beyond that. The positions of Road Commissioners and Overseers were abolished. All male residents, outside of cities, between the ages of 21 and 45 who were subject to road duty must work five days on the roads between April 1 and July 1, or pay 75 cents for each day missed. The Tax Assessor would compile a list of prospective road hands and deliver it to the Trustee, and the commission would form a list of the delinquents after July 1. A general road tax levy of no more than 20 cents and no less than ten cents could be made as well as a special tax levy of the same amount which would be used on special projects. The Commission would hear and dispose of requests to open, close, or change roads and exercise the power of eminent domain but only when proper procedures were followed. Proper and accurate records would be kept.
  21. Private Acts of 1913 (Ex. Sess.), Chapter 69, provided for a five member Highway Commission in Robertson County made up of four citizens and the county judge who was the exofficio member and chairman. The Commissioners would be elected to two year terms by the people at the August, 1914, general election, and be paid \$2 per day up to \$50 a year. The Commission could have its own Secretary, would be in general charge of the road program and were empowered to employ an engineer to assist them if they desired. Foremen could be appointed for each road section by the Commissioners to serve the same amount of compulsory labor as others did but would be paid for days over that number. The old posts of Road Commissioner and Overseer were abolished. Males, outside cities, between ages of 21 and 45 were subject to work for five days on the roads or pay a commutation fee of 75 cents per day. The remainder of the terms in the Act were identical to those in Private Acts of 1913, Chapter 330.
  22. Private Acts of 1915, Chapter 262, amended Private Acts of 1913 (Ex. Sess.) Chapter 69, by changing the appointment time of the Court to the April term, 1915, and by removing the requirement that the Highway Commissioners be elected by popular vote. Section 4 was changed to make the Road Districts co-extensive geographically with the civil districts. Section 6 was amended to extend the deadline for the completion of the compulsory road work from July 1 to August 1, and by reducing the commutation charge from 75 cents to 50 cents. It would be a



- misdemeanor, also, subject to the imposition of fines for anyone to wilfully neglect the compulsory road work.
23. Private Acts of 1915, Chapter 419, amended Private Acts of 1913 (Ex. Sess.), Chapter 69, by adding a provision at the end of Section 7 that the Trustee would be paid at the rate of 2½ cents per name for compiling and recording the names of those delinquent road hands failing to meet their obligations.
  24. Private Acts of 1915, Chapter 457, stated that in Robertson County (identified by the 1910 Federal Census figures) it would be unlawful for any person, firm, or corporation, to have upon the public highways a load of over 3,000 pounds and less than 5,000 pounds unless the wheels of the vehicle with such load had tires at least six inches wide. It was also unlawful to engage in the business of hauling, transferring, or moving, goods, wares, and merchandise on the public highways for profit without first obtaining a license at a cost of \$10 per year for each wagon, or vehicle. A metal tag would be displayed as evidence of having bought the license. Spikes and claws embedded in wheels were strictly forbidden. Trucks and wagons of 4½ tons would carry four planks of not less than two inches thick to lay down on bridges before crossing. This Act was repealed by Private Acts of 1917, Chapter 83.
  25. Private Acts of 1917, Chapter 83, expressly repealed Private Acts of 1915, Chapter 457, above, which was an act setting up truck weights and requiring a license to transport goods.
  26. Private Acts of 1917, Chapter 333, repealed Private Acts of 1913 (Ex. Sess.), Chapter 69, and the amendments thereto, which constituted the existing road law for Robertson County.
  27. Private Acts of 1917, Chapter 439, was the new road law for Robertson County which required the roads to be kept according to this act. The County Judge, or Chairman, would appoint a county engineer, who would be at least 25 years of age, a civil engineer, who would be at least two years experience in road building who would devote full time to the position and serve a two year term. The salary would be no less than \$1,500 and no more than \$2,400 annually, the same to be determined by the Quarterly Court. The Engineer had to be sworn to office, bonded, and assume the duties enumerated in the act. He would have an office in the courthouse, if possible, or otherwise rent one. He would employ such clerks and assistants as were necessary and make all expenditures for supplies which proper management of the department would demand. Road Districts were the same as Civil Districts in which a Supervisor would be appointed who would be bonded and in charge of the roads in that District, serving for one year. The Supervisor, or the Engineer, could appoint an overseer for each Section of road in the District who would also serve for one year. Males between 21 and 50 years of age were required to work five, eight hour days on the roads. Terms could be furnished by their owners for road work or they would forfeit \$1 a day. The Engineer would make assignments of tools and road hands and coordinate the work promulgating all necessary regulations. Taxes for dirt roads would be kept in a separate fund. The Engineer would work with the State Highway Department and decide on the openings, closings and alterations of roads in the county.
  28. Private Acts of 1919, Chapter 42, amended Private Acts of 1917, Chapter 439, above, by rewriting Section 2 to create the position of Engineer who would be chosen by the Robertson County Quarterly Court and be paid a salary of \$150 per month paid out of the general funds of the county on the warrant of the county judge. The Engineer would serve on one year beginning on the first Monday in January and could be suspended, or dismissed, by the county court for cause. The Engineer must be at least 25 years of age, or older, experienced in all sorts of road work, devote full time to the duties of the office and be lawfully bonded. The signatures of the county judge would be required on all expenditures.
  29. Private Acts of 1920, Chapter 59, amended the Robertson County Road Law, above, in Section 29, to reduce the range of tax for dirt roads from that of 10 cents to 20 cents to 2 cents and 10 cents maximum, whenever to do so to effectuate this reduction throughout the road law.
  30. Private Acts of 1921, Chapter 910, amended Private Acts of 1917, Chapter 439, above, to require those subject to compulsory road work to labor on either pike roads, or dirt roads, and the commutation fee was increased from \$1 to \$2.50.
  31. Private Acts of 1923, Chapter 268, amended Private Acts of 1917, Chapter 439, by rewriting all of Section 2 to create the position of County Engineer who would be elected by the people for a two year term at the regular August election, taking office as the other office holders did. The Engineer would devote his whole time to the office and could be removed only for misfeasance or malfeasance. His salary could be no less than \$1,800 and no more than \$2,400 as the same was set by the Quarterly Court. If the Court failed to set the salary, it would be \$2,200 annually and could not be changed during the term. The Engineer would be experienced in road work, a

resident of the county, sworn and bonded. The engineer would also be required to account for all the money coming into his possession. Vacancies in the office would be filled by the Quarterly Court until the next election.

32. Private Acts of 1929, Chapter 310, enabled Robertson County to transfer \$55,304.14 from the State Aid Fund of the County to the general county highway fund for use on general county road purposes, it appearing that the money would no longer be needed for State Aid.
33. Private Acts of 1931, Chapter 819, amended Private Acts of 1917, Chapter 439, in Section 2 by deleting the whole Section and inserting another one which required that the County Engineer be elected by the qualified voters of Robertson County at the next regular August election and every four years thereafter, taking office at the same time the other office holders did. The Engineer would devote full time to his duties, be paid no less than \$1,800 and no more than \$2,400 as set by the Quarterly Court, on the warrant of the County Judge, or Chairman, in equal monthly installments which were not to be changed during the term. The Engineer would be at least 25 years old, competent and trained in road building, and could be removed from office only for misfeasance or malfeasance in office. Section 3 was taken out and Section 6 restored.
34. Private Acts of 1931 (2nd Ex. Sess.), Chapter 9, amended Private Acts of 1917, Chapter 439, in Section 2 so that the \$1 commutation fee for road hands was restored instead of the \$2.50 then in effect. This Act added a provision at the end of Section One which said that the County Engineer would be paid \$2,200 annually by the Quarterly Court if the Court did not set the salary, or they refused to do so.
35. Private Acts of 1933, Chapter 79, also amended the Robertson County Road Law by inserting a provision in place of some portions of the Act which stated that the County Engineer would be paid a salary of no less than \$2,000 and no more than \$2,200 annually, payable in equal monthly installments on the warrant of the County Judge, or Chairman. The Quarterly Court would fix the salary at the April, 1933, session which would not be changed during the term but, if the Court failed, or refused, to do so, the salary would be \$2,000 annually.
36. Private Acts of 1943, Chapter 67, repealed Private Acts of 1917, Chapter 439, and all the amendments to that act as they were listed above.
37. Private Acts of 1943, Chapter 142, listed the specific powers granted to Robertson County relative to the management of its road system in six specific items. The office of County Engineer was devised who would be elected by the People for four year terms at an annual salary of \$2,400 which would not be changed during the term. The Engineer would have 2 years minimum experience in road building, be sworn into office and bonded. The Engineer would be in charge of the road department, select and fix the pay of road personnel and conform to all administrative procedures. Plans for the future would be made and reports submitted to the county judge, or chairman on progress. A road and bridge fund account would be set up and administered by the Engineer and the County Judge. The Engineer had to observe all purchasing procedures and account for all equipment, tools and materials. Road Districts would be the same as Civil Districts but the Quarterly Court could change them as they saw fit and the road year would be the same as the fiscal year unless specifically altered. The Engineer could appoint a Supervisor in each District to serve for one year who could be removed and replaced. Supervisors were to appoint Overseers for each road section with the approval of the Engineer and the Supervisors would ascertain and report the number of days between four and eight which would be worked on the roads, furnish a substitute to work on the roads, or pay \$1.50 for each day missed. Emergency provisions were stipulated in the Act. All males would work the required number of days and be paid only for those days over that number. The office of the Engineer would be examined and audited annually and its condition reported to the Quarterly Court.
38. Private Acts of 1945, Chapter 37, amended Private Acts of 1943, Chapter 142, by changing the term of office in Section 3 from two years to four years.

## Chapter X - Law Enforcement

### Law Enforcement Buildings

### Private Acts of 1947 Chapter 293

**SECTION 1.** That the County Court of Robertson County, Tennessee in regular or special session assembled, by and the same is hereby authorized and empowered to acquire by purchase or lease, or otherwise, lands within Robertson County, Tennessee, suitable for the construction of a building to be

used by County law enforcement officers and/or the State Highway Patrol and to construct thereon a building suitable for such purpose.

**SECTION 2.** That the money necessary for all of the above shall be paid out of the County Treasury, payable upon a warrant drawn by the County Judge of said Court for all said purposes.

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

Passed: February 14, 1947.

## Sheriff

## Toilet Inspection

## Private Acts of 1951 Chapter 592

**SECTION 1.** That in counties of this State having a population of not less than 29,000, nor more than 29,100, by the Federal Census of 1940, or any subsequent Federal Census, it shall be the duty of all persons operating public places where beer is sold or served to provide toilet facilities for both men and women. Such facilities shall be separate, shall be kept in a clean and sanitary condition and shall be available for inspection at all times while such places serving or selling beer shall be open for business.

It shall be the duty of the Sheriff and of his deputies of counties to which this Act applies to inspect such toilet facilities as frequently as their other duties will permit and to require repairs, sanitation and other necessary changes. Any owner or operator of any place where beer is sold failing to comply with the provisions of this Act or to comply with the directions of the Sheriff of such County with reference to sanitation shall be guilty of a misdemeanor and upon conviction, punishable accordingly.

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

Passed: March 16, 1951.

## Law Enforcement - Historical Notes

### Militia

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

1. Acts of 1799, Chapter 1, reorganized the militia of the state by scheduling regimental musters to be held each year at the court house on the Thursday preceding the holding of the last quarter's session of the Court of Pleas and Quarter Sessions.
2. Acts of 1801, Chapter 1, again reorganized the Tennessee militia all across the State. Certain tables of organization were prescribed in greater detail than above and days were set for the regimental drills and musters although the time for company drills was left to the company officers. There would be one regimental drill each year at the court house of the county on the Thursday preceding the holding of court in either September, October or November. The company captain was instructed to hold a muster at least three times each year at such times as the captain would determine.
3. Acts of 1803, Chapter 1, provided for the state militia to be composed of free men and indentured servants between the ages of 18 and 45, with some exceptions being specified, such as judges, ministers, cabinet officers, ferrymen, and justices of the peace. Tables of organization were framed for the entire group which assigned Robertson County as the 23rd Regiment. Battalions would hold one annual muster on the last Thursday in November.
4. Acts of 1815, Chapter 119, was enacted to better establish the militia composed of free men and indentured servants named exceptions. Robertson County's militia was designated as the 23rd Regiment. Regiments consists of two Battalion's composed of at least two companies of 40 privates, 2 musicians, 3 sergeants, 3 corporals, one captain, one lieutenant, and one ensign. This act constituted an entire new enactment of military code for the state. Robertson County was in the 6th Brigade which also included the counties of Stewart, Humphreys, Dickson, Hickman, and Montgomery.
5. Acts of 1819, Chapter 68, amended the militia laws so that Robertson County now had the 23rd and the 62nd Regiments. The 23rd Regiment would hold its muster and drill on the first Saturday in September and the 62nd on the second Saturday in September. This act also included many new sections of military law on internal discipline and courts martial.

6. Acts of 1825, Chapter 69, was the next act to come up with a whole new military code. The qualifications for entry remained as they had been. The tables of organization showed the counties of Robertson, Hickman, Montgomery, Dickson, and Stewart in the 6th Brigade which was a part of the second Division. Robertson's Regiments were still the 23rd which would drill on the first Saturday in September, and the 62nd which would do the same on the last Saturday in September.
7. Acts of 1825, Chapter 86, made it the duty of the Governor to appoint an Inspector General for the units of the Tennessee Militia. Section 7 rearranged the drill times for the units in the 6th Brigade assigning Robertson County to the second Friday and Saturday in July of each year.
8. Acts of 1826, Chapter 18, amended the State Military Code and Militia Law by revising many of the details contained in both organization, equipment, and administration. Section 31 divided the cavalry of the 6th Brigade into two squadrons, one for Robertson County and Montgomery County which would muster at Port Royal and Montgomery on the second Friday in October of each year, and the other Squadron would be for the counties of Stewart, Dickson, and Hickman.
9. Acts of 1827, Chapter 248, rescheduled the county drills for the regiments of the Sixth Brigade. Robertson County's units would meet and drill on the Wednesday and Thursday preceding the last Saturday in September.
10. Acts of 1835-36, Chapter 21, reenacted the entire military code and militia law pursuant to the 1835 Constitution of Tennessee. Indentured servants were not included in the composition of the militia. The State was laid off into Regiments with Robertson County having the 89th and the 90th Regiments. Provisions were made for county, battalion, and regimental musters. Sumner County and Robertson County composed the 14th Brigade.
11. Acts of 1837-38, Chapter 157, amended the new State militia law by scheduling the county drills for every county in the State, and making it compulsory that every officer attend the said drills or be penalized under the terms of this Act. Robertson County's units would drill on the second Friday and Saturday in September of each year. The 14th Brigade included the counties of Robertson and Montgomery.
12. Acts of 1839-40, Chapter 56, was a rehash of the state military law but the changes in the base law did not affect Robertson County in a special, or local way.

### **Sheriff**

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

1. Acts of 1806, Chapter 43, appointed James Elder, Hugh Bell, John Shelby, Henry Small, and Charles Stuart, as Commissioners, to select a site in Clarksville which would be best for the erection of a court house and prison for the Robertson District. The County Courts were authorized to levy a tax in 1807, and the two succeeding years to defray expenses in accordance with the schedule in the act.
2. Acts of 1809, Chapter 50, named Joseph Woolfolk, of Montgomery County, as a commissioner to succeed Hugh F. Bell, with all the powers heretofore conferred upon the said Bell who had moved from the Robertson District. These commissioners were charged with the responsibility to select the best site in Clarksville for the erection of a court house and prison for the Robertson District.
3. Acts of 1811, Chapter 105, nominated Thomas Johnson, Archer Cheatham, John Hutchison, Isaac Dortch, James Paschall, James Sawyers, and Samuel Hollis, as commissioners to select a site for a jail in Robertson County and to contract to build the same in Springfield under certain terms and conditions. The Quarterly Court could lay a tax in 1812, and in the next two years, in order to pay for the jail, but the amounts involved were not to exceed those specified in the Act. The Contractor would be required to make a performance bond.
4. Acts of 1823, Chapter 86, stated that Adkins Powell, who was rendered infamous by reason of a conviction of the crime of forgery at the April, 1820 term of the circuit court of Robertson County, was restored to all the rights and privileges of citizenship as fully as if the crime and conviction had never occurred.
5. Acts of 1823, Chapter 106, provided that the Sheriff and Ranger of Robertson County could hereafter advertise lands for sale under execution, and the estrays in the custody of the Ranger in some newspaper printed in Nashville. Public Acts of 1978, Chapter 934, gave the Sheriff of the County a four year term and unlimited tenure, and eliminated the position of Ranger.
6. Private Acts of 1925, Chapter 232, stated that in Robertson County when any person was committed to jail, or workhouse, under any workhouse order in default of paying fines and costs,

such person would be allowed a credit on said fine, or costs, of \$1 for each day detained in the said jail, or workhouse, whether said person detained in the workhouse worked or not. Sundays would be included the same as any other day.

7. Private Acts of 1929, Chapter 842, declared that, in Robertson County, (identified by the use of the 1920 Federal Census figures) all the Justices of the Peace, and all other state, county or municipal officials having the authority under the law to issue search warrants, would make, keep, and file a copy of the said warrant in their custody which would be subject to the inspection of interested parties and their attorneys. It was made illegal for the officer serving the warrant to charge, alter or modify it in any way. Offenders could be fined \$10 to \$50 and in turn could forfeit \$50 to the aggrieved party. This has been superseded by general law.
8. Private Acts of 1933, Chapter 568, averred that all the Sheriffs of Robertson County would be paid up to \$3,000 in annual salary, provided a sworn, itemized statement was filed with the county judge, or chairman, showing all the fees collected in the office. All fees over and above the \$3,000 would go into the treasury of the county but, if the fees were less than \$3,000, that amount would constitute the annual salary of the Sheriff.
9. Private Acts of 1949, Chapter 687, was an Act which allowed the Quarterly Court of Robertson County to regulate the sale of beer in anticipation of the Home Rule Amendment to the Constitution.

## Chapter XI - Public Utilities

### White House Utility District

### Public Acts of 1965 Chapter 83

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

**SECTION 1.** That the New Deal Utility District of Sumner County, Tennessee, created by decree of the County Court of Sumner County, Tennessee, pursuant to the provisions of Section 6-2601 to 6-2636 [7-82-802 through 7-82-609], inclusive, of Tennessee Code Annotated, is hereby authorized to sell and convey to the White House Utility District of Robertson and Sumner Counties, Tennessee, created by decree of the County Court of Sumner County, Tennessee, pursuant to the provisions of said Sections 6-2601 to 6-2636 [7-82-802 through 7-82-609], inclusive, all or any portion of its complete waterworks system, including any related facilities, and to execute and deliver to the said White House Utility District such deeds, bills of sale and other documents as shall be considered desirable by the parties; provided, that prior to or concurrent with such sale, said New Deal Utility District shall retire all of its then outstanding indebtedness.

**SECTION 2.** That the territory assigned to the New Deal Utility District of Sumner County, Tennessee, shall become a part of the White House Utility District of Robertson and Sumner Counties, Tennessee, upon the consummation of the sale of the New Deal System to White House Utility District.

**SECTION 3.** That all liability on notes and any other liability which the New Deal Utility District might have shall be assumed by the White House Utility District from and after the date on which it acquires all or any part of the New Deal System, it having been ascertained that the White House Utility District has consented to assume said liability.

**SECTION 4.** That the Board of Commissioners of the White House Utility District remain the Board of Commissioners of the enlarged White House Utility District.

**SECTION 5.** That if any portion of this Act shall be held to be unconstitutional a severability clause is added so that such invalidity or unconstitutionality shall not affect or impair other parts of this Act unless it clearly appears that such other parts are wholly and necessarily dependent upon the part or parts held to be invalid or unconstitutional, it being the legislative intent in enacting this Act that each section, subsection, paragraph, sentence or part thereof be enacted separately and independently of each other.

**SECTION 6.** That all laws or parts thereof in conflict herewith be to the extent of such conflict hereby repealed.

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

Passed: February 23, 1965.

## Chapter XII - Taxation

### Assessor of Property

### Recording of Real Property

### Private Acts of 1967 Chapter 107

**SECTION 1.** Hereafter, all deeds, mortgages, deeds of trust, subdivision plats, tract maps, and all other instruments vesting or divesting title to or in any real property located in Robertson County, Tennessee, shall be recorded in the County Tax Assessor's office prior to the time and before any of said instruments shall be recorded in the County Register's office of Robertson County, Tennessee.

That the Tax Assessor or his Deputy shall receive each of said instruments for registration, and make a permanent record of same in his office, showing the date of the instrument, consideration of the transfer, name of the grantor, name of the grantee, the trustee, the mortgagor, the mortgagee, location of property, including civil district, and a sufficient description of the property so the same can be readily identified.

**SECTION 2.** When any of said instruments have been registered by the Tax Assessor or his Deputy, he shall stamp on each of such instruments a notation of endorsement showing that said instrument has been properly recorded in his office.

**SECTION 3.** All of the necessary expenses incident to the carrying out of the provisions of this Act shall be paid out of the general fund of said county.

**SECTION 4.** None of the instruments herein provided for shall be received or recorded in the County Register's office until the same have first been recorded and stamped by the Tax Assessor, the transfer or conveyance shall not be effective as to the creditors of the bargainor or grantor.

Any Tax Assessor or Deputy Tax Assessor, any County Register, or any Deputy County Register, wilfully or negligently failing to comply with the provisions of this Act shall be guilty of a misdemeanor.

**SECTION 5.** This Act shall have no effect unless the same shall be submitted to the Quarterly County Court of Robertson County and approved by a two-thirds (2/3) vote of said Quarterly County Court. Its approval or nonapproval shall be proclaimed by the presiding officer of the Quarterly County Court and shall be certified by him to the Secretary of State in Nashville.

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

Passed: April 20, 1967.

## Adequate Facilities Tax

### Private Acts of 1996 Chapter 213

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

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

(1) "Board of Zoning Appeals" means the board established in Robertson County pursuant to Tennessee Code Annotated, Section 13-7-106.

(2) "Building" means any structure built for the support, shelter, or enclosure of persons, chattels, or movable property of any kind; the term includes a mobile home, but excludes those buildings specified in Section 6 below.

(3) "Building Permit" means a permit for development issued in Robertson County, whether by the county or by any city therein.

(4) "Capital Improvement Program" means a proposed schedule of future projects, listed in order of construction priority, together with cost estimates and the anticipated means of financing each project. All major projects requiring the expenditure of public funds, over and above the annual local government operating expense, for the purchase, construction, or replacement of the physical assets of the community are included.

(5) "Certificate of Occupancy" means a license for occupancy of a building or structure issued in Robertson County, whether by the county or by any city therein.

(6) "Development" means the construction, building, reconstruction, erection, extension, betterment, or improvement of land providing a building or structure or the addition to any building or structure, or any part thereof, which provides, adds to or increases the floor area of a residential or non-residential use.

(7) "Dwelling Unit" means a room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, rental or lease on a daily, weekly, monthly, or longer basis; physically separated from any other room(s) or dwelling units which may be in the same structure; and containing independent cooking and sleeping facilities.

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

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

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

(10) "Governing Body" means the County Commission of Robertson County, Tennessee.

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

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

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

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

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

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

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

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

(19) "Zoning Resolution" means the resolution adopted by the governing body pursuant to State Statutory authorization on January 17, 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 Robertson 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 person responsible for new development share in the burdens of growth by paying their fair share for the cost of new and expanded facilities made necessary by such development.

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

**SECTION 5.** The governing body shall impose the tax authorized herein by resolution after adopting a capital improvements program indicating the need for the cost of public facilities anticipated to be funded, in part, by this tax and after finding that the need for such public facilities is reasonably related to new development in the county. The resolution of the governing body imposing this tax shall state the rate of tax on new residential and non-residential development. The governing body shall, by resolution, adopt administrative guidelines, procedures, regulations and forms necessary to properly implement, administer and enforce the provisions of this act.

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

- (1) Public buildings.
- (2) Places of worship.
- (3) Barns or outbuildings used for agricultural purposes.
- (4) Replacement structures for previously existing structures destroyed by fire or other disaster.
- (5) Additions to a single-family dwelling.
- (6) A structure owned by a nonprofit corporation which is a qualified 501(c)(3) corporation under the Internal Revenue Code.
- (7) Permanent residential structures replacing mobile homes where the mobile home is removed within thirty (30) days of the issuance of the certificate of occupancy for the permanent residential structure, provided that the permanent structure is a residence for the owner and occupant of the mobile home and that owner and occupant has resided on the property for a period of not less than three (3) years.
- (8) Buildings moved from one (1) site within the county to another site within the county.

**SECTION 7.** For the exercise of the privilege described herein, Robertson County may impose a tax on new development at a rate set by the governing body per gross square foot of new residential and commercial development.

**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 by a county official duly authorized by the county executive. If the building permit is issued by the county, the county building official or other responsible official shall receive payment in full in cash or other negotiable instrument as specified by resolution of the county and as approved by the county attorney. If the building permit 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 has been paid. No building permit for development as herein defined shall be issued in Robertson County unless the tax has been paid in full to the county or a negotiable instrument approved by the county attorney and payable to the county has been received. 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.** All tax funds collected shall be used for the purpose of providing public facilities, the need for which is reasonably related to new development.

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

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

- (1) By payment of the disputed amount to Robertson County and by notifying the official that the payment is made under protest; or
- (2) By requesting an appeal of the decision of the official in written form within ten (10) days of the



protest and payment. Appeals shall be heard by the Robertson County board of zoning appeals. Hearing shall be scheduled within forty-five (45) days of the written request for appeal.

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

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

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

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

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

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

**SECTION 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: April 24, 1996.

## Hotel - Motel Tax

## Private Acts of 1990 Chapter 226

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

- (1) "Clerk" means the county clerk of Robertson County, Tennessee.
- (2) "Consideration" means the consideration charged, whether or not received, for the occupancy in a hotel valued in money whether to be received in money, goods, labor or otherwise, including all receipts, cash, credits, property and services of any kind or nature without any deduction therefrom whatsoever. Nothing in this definition shall be construed to imply that consideration is charged when the space provided to the person is complimentary from the operator and no consideration is charged to or received from any person.
- (3) "County" means Robertson County, Tennessee.
- (4) "Hotel" means any structure or space, or any portion thereof, which is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes, and includes any hotel, inn, tourist camp, tourist court, tourist cabin, motel or any place in which rooms, lodgings or accommodations are furnished to transients for a consideration.
- (5) "Occupancy" means the use or possession, or the right to use or possession, of any room, lodgings or accommodations in a hotel.

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

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

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

**SECTION 2.** The legislative body of Robertson County is authorized to levy a privilege tax upon the privilege of occupancy in any hotel of each transient, by resolution of the county legislative body, in an amount up to seven percent (7%) of the consideration charged by the operator. Such tax is a privilege tax upon the transient occupying such room and is to be collected as provided in this act.

The privilege tax levied by this act, as may be amended, shall be in addition to all other taxes levied or authorized to be levied whether in the form of excise or privilege taxes, and shall be in addition to all other fees and taxes now levied or authorized to be levied.

As amended by: Private Acts of 2010, Chapter 67

**SECTION 3.**

(a) The proceeds of the tax authorized by this act received by the county shall be deposited in the general fund of Robertson County for distribution to the Industrial Development Board of Robertson County to be used by the Industrial Development Board for industrial and economic development and tourism promotion in Robertson County and, pursuant to subsection (b), for grants to municipalities in the county to be expended as provided in subsection (b).

(b)

(1) Upon submission of an annual budget, no later than July 1, by a municipality to the Industrial Development Board, showing the manner in which funds will be expended by the municipality for industrial and economic development or tourism promotion which provide benefit to Robertson County, grants shall be made by the Industrial Development Board to each such municipality in the county in the amount of thirty percent (30%) of the net proceeds of the tax collected within the boundaries of each such municipality.

(2) Grants shall only be made in accordance with this subsection (b) to those municipalities who submit the annual budget in accordance with this subsection.

As amended by: Private Acts of 2010, Chapter 67

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

As amended by: Private Acts of 2010, Chapter 67

**SECTION 5.**

(a) The tax levied shall be remitted by all operators who lease, rent or charge for any rooms or spaces in hotels, as this term is defined in Section 1, subdivision (4), within the county to the clerk or such other officer as may by resolution be charged with the duty of collection thereof, such tax to be remitted to such officer not later than the twentieth (20th) day of each month for the preceding month. The operator is hereby required to collect the tax from the transient at the time of the presentation of the invoice for such occupancy as may be the custom of the operator, and if credit is granted by the operator to the transient, then the obligation to the county entitled to such tax shall be that of the operator.

(b) For the purpose of compensating the operator in accounting for 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 clerk in the form of a deduction in submitting his or her report and paying the amount due by such operator, provided the amount due was not delinquent at the time of payment.

As amended by: Private Acts of 2010, Chapter 67

**SECTION 6.** The clerk, or other authorized collector of the tax, shall be responsible for the collection of such tax and shall place the proceeds of such tax in accounts for the purposes stated herein. A monthly tax return shall be filed under oath with the clerk by the operator with such number of copies thereof as the clerk may reasonably require for the collection of such tax.

The report of the operator shall include such facts and information as may be deemed reasonable for the verification of the tax due. The form of such report shall be developed by the clerk and approved by the county legislative body prior to use. The county clerk shall faithfully account for, make reports of and pay

over to the trustee of the county at monthly intervals all funds paid to and received by such clerk for the privilege tax. The clerk shall audit each operator in the county at least once a year and shall report on the audits made on a quarterly basis to the county legislative body.

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

As amended by: Private Acts of 2010, Chapter 67

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

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

**SECTION 9.** It shall be the duty of every operator liable for the collection and payment to the county of any tax imposed by this act to keep and preserve for a period of five (5) years all records as may be necessary to determine the amount of such tax as he or she may have been liable for the collection of and payment to the county, which records the clerk shall have the right to inspect at all reasonable times.

As amended by: Private Acts of 2010, Chapter 67

**SECTION 10.** The clerk in administering and enforcing the provisions of this act shall have as additional powers, those powers and duties with respect to collecting taxes as provided in Title 67 of Tennessee Code Annotated or otherwise provided by law for the county clerks. For his or her services in administering and enforcing the provisions of this act, the clerk shall be entitled to retain as a commission five percent (5%) of the taxes collected. Upon any claim of illegal assessment and collection, the taxpayer shall have the remedies provided in Tennessee Code Annotated, Title 67, it being the intent of this act that the provisions of law which apply to the recovery of state taxes illegally assessed and collected shall also apply to the tax levied under the authority of this act. The provisions of Tennessee Code Annotated, Section 67-1-707, shall be applicable to adjustments and refunds of such tax.

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

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

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

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

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

Passed: April 12, 1990.

## Motor Vehicle Tax

### Private Acts of 1947 Chapter 265

**SECTION 1.** That for the privilege of using the public highways, except Statemaintained roads, in Counties of this State having a population of note less than 29,000, nor more than 29,100 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 motorcycles \$2.00

Upon all passenger automobiles, including station wagons 5.00

Upon all taxicabs 7.50

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

Upon trailers drawn by motor operated vehicles where the trailer does not exceed 7 ft. in length

And where the trailer exceed 7 ft. in length 5.00

This tax shall apply to and be paid by each motor vehicle as above set forth whose owner resides or usually stays in counties to which this Act applies and it shall be a misdemeanor and punishable as such for any resident of Counties to which this Act applies to operate a motor vehicle over the highways of said Counties, State-maintained roads excluded, without the payment of the tax herein provided.

**SECTION 2.** That the tax herein levied shall be collected by the County Court Clerk of Counties to which this Act applies at the same time that he collects the State privilege tax upon the operation of motor driven vehicles over the public highways. No Clerk in Counties to which this Act applies shall issue to a resident of such County a State license for the operation of automobiles unless at the same time such resident shall purchase the appropriate license as hereinafter provided for the operation of his 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 road or bridge funds of counties to which this Act applies. 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 where such motor driven vehicle is registered after April 1 for any reason whatsoever. For his services in issuing such licenses, the 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.

**SECTION 3.** The proceeds of the tax herein levied shall be placed in such county fund as the county legislative body shall designate by appropriate resolution and shall be used for the purposes of such fund. Additionally, the county may, by appropriate resolution of the county legislative body, appropriate and expend proceeds of the tax herein levied and placed in the county general fund or a special fund for the purpose of aiding any municipality located in Robertson County in furtherance of any public purpose.

As amended by: Private Acts of 1992, Chapter 72

**SECTION 4.** That this Act shall take effect from and after March 1, 1947, the public welfare requiring it. Passed: February 19, 1947.

## Private Acts of 1971 Chapter 92

**SECTION 1.** That for the privilege of using the public roads and highways, except Statemaintained roads, in Counties of this State having a population of not less than 29,100 nor more than 29,200 as determined by the Federal Population census of 1970, or any subsequent Federal Population Census, there is levied upon motor-driven vehicles and upon the privilege of the operation thereof, except farm tractors, self-propelled farm machines not usually used for operation upon public highways or roads, and except all motor-driven vehicles owned by any governmental agency or governmental instrumentality, a special privilege tax for the benefit of such counties, which tax shall be in addition to all other taxes, and shall be in the amount of Ten Dollars (\$10.00) for each such motor-driven vehicle.

This tax applies to, is a levy upon, and shall be paid on each motor-driven vehicle the owner of which lives within, or usually stays within counties to which this Act applies. It shall be and is hereby declared a

misdeemeanor and punishable as such for any owner of a vehicle to operate any motor-driven vehicle over the street, roads, or highways of such Counties, State maintained roads excluded, without the payment of the tax herein provided having been made as herein required, prior to such operation thereof.

**SECTION 2.** That the tax herein levied shall be paid to and collected by the County Court Clerk of the Counties to which this act is applicable, who shall collect this tax at the same time he collects the State privilege tax levied upon the operation of a motor-driven vehicle over the public highways of this State. No Clerk in counties to which this Act applies shall issue to a resident of such county, a state license for the operation of a motor-driven vehicle taxable hereunder, unless, at the same time, such owner shall purchase the license and pay the privilege tax levied hereunder, for the operation of each of his motor-driven vehicles under the provisions of this Act.

Payment of the privilege tax imposed hereunder shall be evidenced by a receipt, issued in duplicate by the Clerk, the original of which shall be kept by the owner of the motor-driven vehicle, and by a decal or emblem, also issued by the Clerk, which shall be displayed upon some prominent part of the motor-driven vehicle for which same was issued.

The design of the decal or emblem shall be determined by the Clerk and the expense incident to the purchase thereof as well as the expense of obtaining proper receipts and other records necessary for the performance of the duties herein and hereby incumbent upon the Clerk shall be paid from the general funds of the County.

The privilege tax hereby levied, when paid together with full, complete and explicit performance of and compliance with all provisions of this Act, by the owner, shall entitle the owner of the motor-driven vehicle for which said tax was paid, to operate this vehicle over the streets, roads and highways of the County from April 1st of each year to the next succeeding March 31st. When a motor-driven vehicle becomes taxable under the terms and provisions of this Act, at a later date than April 1st of each year, the same proportionate reduction shall be made as to the cost of the privilege tax or wheel tax, or the amount to be paid into the hands of the Clerk therefor, as is now made in the issuance of the privilege tax payable to the State of Tennessee and collected by the Clerk, under the provisions of the general laws of this State.

For his services in collecting the aforesaid tax, and in issuing the receipt therefor, the County Court Clerk shall be entitled to a fee of 10 cents, and this fee shall be paid by and collected from the person purchasing the privilege tax. The Clerk will faithfully account for, make proper reports of, and pay over to the Trustee of the County at monthly intervals, all funds paid to and received by him for the aforesaid privilege tax.

**SECTION 3.** The proceeds of the tax herein levied shall be placed in such county fund as the county legislative body shall designate by appropriate resolution and shall be used for the purposes of such fund. Additionally, the county may, by appropriate resolution of the county legislative body, appropriate and expend proceeds of the tax herein levied and placed in the county general fund or a special fund for the purpose of aiding any municipality located in Robertson County in furtherance of any public purpose. However, any proceeds of this tax earmarked by resolution of the county legislative body to retire indebtedness shall be used for such purpose until the designated indebtedness is retired.

As amended by: Private Acts of 1991, Chapter 72

**SECTION 4.** That it is the intent of the General Assembly of the State of Tennessee, that this Act be construed as a measure providing for additional revenue for the counties affected, in addition to the tax levied by Private Acts of 1947, Chapter 265.

**SECTION 5.** That any person violating the provisions of this Act, or of any part thereof, shall, upon conviction, be fined not less than Ten Dollars (\$10.00) nor more than Fifty Dollars (\$50.00).

**SECTION 6.** That the tax levied under this Chapter shall be collected for the tax year beginning April 1st, 1972, and for every year thereafter and the County Court Clerk shall collect this tax at the same time he collects the State privilege tax levied upon the operation of a motordriven vehicle for the year 1972 and each succeeding year.

**SECTION 7.** That this Act shall have no effect unless the same shall have been approved by a two-thirds vote of the Quarterly County Court of any county to which it may apply before January 1, 1972. Its approval or non-approval shall be proclaimed by the presiding officer of the body having jurisdiction to approve and shall be certified by him to the Secretary of State.

As amended by: Private Acts of 1971, Chapter 145

**SECTION 8.** This Act shall take effect from and after its passage, the public welfare requiring it.

Passed: April 26, 1971.

# Private Acts of 1979 Chapter 71

**SECTION 1.** In addition to all other taxes, there is levied upon motor-driven vehicles and upon the privilege of the operation thereof, except farm tractors, self-propelled farm machines not usually used for operation upon public highways or roads, and except all motordriven vehicles owned by any governmental agency or governmental instrumentality, a special privilege tax in the amount of twenty dollars (\$20.00) for each motor-driven vehicle.

**SECTION 2.** The tax herein levied shall be paid to and collected by the county clerk who shall collect this tax at the same time he collects the state privilege tax levied upon the operation of a motor-driven vehicle over the public highways of this state. The county clerk shall not issue to a resident of the county, a state license for the operation of a motor-driven vehicle taxable hereunder, unless, at the same time, such owner shall purchase the license and pay the privilege tax levied hereunder, for the operation of each of his motor-driven vehicles under the provisions of this act.

Payment of the privilege tax imposed hereunder shall be evidenced by a receipt, issued in duplicate by the clerk, the original of which shall be kept by the owner of the motor-driven vehicle, and by a decal or emblem, also issued by the county clerk which shall be displayed upon some prominent part of the motor-driven vehicle for which same was issued.

The design of the decal or emblem shall be determined by the county clerk and the expense incident to the purchase thereof as well as the expense of obtaining proper receipts and other records necessary for the performance of the duties herein and hereby incumbent upon the clerk shall be paid from the general funds of the county.

The privilege tax hereby levied, when paid together with full, complete and explicit performance of and compliance with all provisions of this act, by the owner, shall entitle the owner of the motor-driven vehicle for which said tax was paid, to operate this vehicle over the streets, roads and highways of the county from the purchase date of his state motor vehicle license plate to the next succeeding date of renewal of such license plate.

**SECTION 3.** If the privilege tax levied hereunder is paid at a time other than the purchase of state motor vehicle license plates, such tax shall be prorated accordingly.

**SECTION 4.** The proceeds of the tax herein levied shall be placed in such county fund as the county legislative body shall designate by appropriate resolution and shall be used for the purposes of such fund. Additionally, the county may, by appropriate resolution of the county legislative body, appropriate and expend proceeds of the tax herein levied and placed in the county general fund or a special fund for the purpose of aiding any municipality located in Robertson County in furtherance of any public purpose. However, any proceeds of this tax earmarked by resolution of the county legislative body to retire indebtedness shall be used for such purpose until the designated indebtedness is retired.

As amended by: Private Acts of 1991, Chapter 72

**SECTION 5.** It is the intent of the General Assembly of the State of Tennessee, that this act be construed as a measure providing for revenue in addition to the tax levied by Chapter 265 of the Private Acts of 1947 and by Chapter 92 of the Private Acts of 1971.

**SECTION 6.** Any person violating the provisions of this act, or of any part thereof, shall, upon conviction, be fined not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00).

**SECTION 7.** This act shall have no effect unless it is approved by a majority of the number of qualified voters of the county voting in an election on the question of whether or not the act should be approved. Within thirty (30) days after this act becomes a law, the county election commission of Robertson County shall call an election for the county to be held not less than seventy-five (75) days, nor more than eighty (80) days from the date of the call. The ballots used in the election shall have printed on them the substance of this act and 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 commissioners and certified by them to the secretary of state as provided by law in the case of general elections. The qualifications of voters voting on the question shall be the same as those required for participation in general elections. All laws applicable to general elections shall apply to the determination of the approval or rejection of this act.

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

Passed: April 5, 1979.

# 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 Robertson County Assessor. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1921, Chapter 37, set the annual salary of the Tax Assessor of Robertson County at \$2,000. The salary would be paid out of regular county funds when the annual assessment was completed on the warrant of the county judge or chairman. All conflicts were repealed.
2. Private Acts of 1923, Chapter 526, abolished the office of County Tax Assessor and provided that the Quarterly Court of Robertson County at its January term, 1925, would appoint a Tax Assessor for each civil district in the county who would assess the property in the district for the state and county tax purposes, would take the same oath and perform the same duties as the county tax assessor and who would be bonded for \$1,000. If the quarterly court failed to appoint the district assessors, the county judge could proceed to do so. Those appointed would hold the office until the next county election in August when their successor would be elected by people for two years. The Quarterly Court would fix the salary for the tax assessor of each district which could not be changed during the term of office.
3. Private Acts of 1929, Chapter 570, eliminated the offices of District Tax Assessor in Robertson County as they had been in operation for the past six years and restored the office of county tax assessor as it had existed prior to this time and before the district assessors were created. The Tax Assessor would devote full time to the position, keep an office open in the court house and make up the tax books. The Board of Equalization would return their assessment rolls to the Tax Assessor not the county court clerk. The Tax Assessor would serve four years each term beginning on September 1 following the election but the first tax assessor would be named by the Quarterly Court to serve until the people could elect one. The elected tax assessor would be paid \$3,000 per annum but those appointed hereunder would serve and be paid only for the time spent on the job.
4. Private Acts of 1933, Chapter 78, amended Private Acts of 1929, Chapter 570, by striking out a part of Section 3 and inserting a provision that the tax assessor of Robertson County would be paid no less than \$2,000 and no more than \$2,500 per year in equal monthly installments out of the general fund on the warrant of the county judge, or the chairman, said salary to be set by the quarterly court at its April, 1933, term and not changed during the term of office. If the Quarterly Court failed to set the salary, the same would be \$2,350 annually.
5. Private Acts of 1943, Chapter 132, amended Private Acts of 1929, Chapter 570, above, in Section 3 by adding a paragraph which provided for a clerk in the office of the tax assessor who would be appointed by the tax assessor and be paid a salary of \$75 per month out of the general funds of the county.
6. Private Acts of 1949, Chapter 408, provided that, in Robertson County, the tax assessor would be compensated at the rate of \$3,600 per annum, payable in equal monthly installments from the county treasury which would be in addition to any allowances made under the law for clerical help and assistance.
7. Private Acts of 1949, Chapter 821, provided that in Robertson County before any person could have a deed conveying the title to any real estate recorded they would first present the same to the tax assessor who would take off certain items of information specified in the act. Registers were prohibited from recording the said instrument which did not bear the tax assessors stamp indicating that he had the information. This act was repealed by the one following.
8. Private Acts of 1951, Chapter 267, repealed Private Acts of 1949, Chapter 821, above, as the same was written.
9. Private Acts of 1959, Chapter 75, stated that the tax assessor of Robertson County would hereafter be compensated at the rate of \$4,800 per year, payable in equal monthly installments from the county treasury. This compensation would be in addition to any allowance made to the tax assessor for clerical help and assistance.
10. Private Acts of 1961, Chapter 209, provided that in Robertson County (identified by the use of the 1960 Federal Census figures) before any deed, or conveyance of land could be registered, it would first be taken to the tax assessor's office and certain specified data recorded from the instrument and the same would be stamped indicating that it had been there. In the corporate limits of a city, the instrument had to be presented also to the Recorder. The register was prohibited from recording the deed, or instrument, until the requirements of this act were observed. Offenders

could also be fined from \$2 to \$50. This Act was rejected by the quarterly court and never became an active law.

11. Private Acts of 1967-68, Chapter 32, amended Private Acts of 1959, Chapter 75, by increasing the salary of the tax assessor from \$4,800 to \$8,250. This Act was not presented to the quarterly court for action in view of the fact that a general law was passed which controlled the salary of the tax assessor. Therefore, this act never became operative.
12. Private Acts of 1967-68, Chapter 107, which concerned the recordation of deeds in Robertson County is published herein.
13. Private Acts of 1973, Chapter 55, provided that any person building or causing to be built, any structure in Robertson County would first apply to the Director of Planning and Zoning for a building permit which would provide certain requested information in the application for the permit. A schedule of fees which would be charged for residential and commercial districts for buildings and for erecting signs was provided in the Act which would be collected by the Director of Planning and paid into the general fund. Non compliance with this Act would result in fines from \$10 to \$50. This Act was rejected by the Robertson County Quarterly Court and never became an active law

### **Taxation**

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

1. Acts of 1797, Chapter 16, was the legal authority for the Sheriff of Sumner County to collect the state taxes in all that part of Robertson County, which was lately a part of Sumner County, which were due and payable to Sumner County before the formation of Robertson County. Residents would pay the county in which their homes were located.
2. Acts of 1806, Chapter 45, authorized Wilson County to lay an added tax in the county to erect a building to house the offices of the Clerk, the Register, the Ranger, which building would be erected on the Public Square in Lebanon. The county court would appoint commissioners to keep accounts and supervise the project. A schedule of taxes was contained in the act which could not be exceeded. Section 4 of this Act allowed Robertson County to levy a similar tax for the same purposes and under the same conditions.
3. Acts of 1809, Chapter 66, stated that the taxes heretofore permitted to be levied had been insufficient to build the court house and prison in Clarksville for the Robertson District, this act was the legal authority for Montgomery County to levy and impose additional taxes and Section 2 made it the duty of the justices in Robertson, Dickson, Hickman, Stewart, and Humphreys County to lay a tax in 1810 to complete the court house and pay off any debts incurred prior to this act. The Commission would make a full and complete statement of the disposition of funds.
4. Acts of 1817, Chapter 189, made it the duty of the Justices of the Peace in the courts of pleas and quarter sessions to levy a tax in Robertson County, a majority being present, in the year 1818 and to continue the tax as long as necessary in order to raise enough funds to build a court house in Robertson County, but the Justices could not exceed the amount of the taxes levied in this act. The act appointed Thomas Johnson, Benjamin Tucker, John Hutchison, Archer Cheatham, James H. Bryan, Jack E. Turner, James Sawyers, and Leonard P. Cheatham as commissioners to contract for and supervise the building of the courthouse under the terms and conditions of this act.
5. Acts of 1819, Chapter 120, repealed that portion of Section 1 of an act which allowed the quarterly court of Robertson County to build a court house in Springfield and which required the tax to be paid to the county trustee. It was the duty of the Sheriff to pay over whatever portion of the said tax which might have already been collected, and the remainder would go to the commissioners supervising the building of the court house.
6. Acts of 1821, Chapter 128, authorized and required the Quarterly Court, a majority of their members being present, to levy a tax for the purpose of removing, or rebuilding, the jail in Springfield from the Public Square to some other parcel, or let, which tax money would be paid over to the commissioners appointed for the above purpose. Thomas Johnson, Benjamin Tucker, Richard Cheatham, Benjamin Porter, and William Steele were named as commissioners to contract for the work and they had the further authority to purchase land upon which to build the jail. Any money remaining out of the appropriation to build the court house in Springfield could be used lawfully for this project.
7. Acts of 1825, Chapter 173, imposed upon the Quarterly Court of Robertson County, on the first day of the January term next, a majority of the Justices being present, the duty to lay a tax to remove the jail from the Public Square in Springfield and build it at some other location within the



- corporate limits. John L. Cheatham, John Hutchison, George C. Conrad, William Seal, George Murphrey, William Pope, and James Sawyers, were named as commissioners to supervise the project and to execute all essential contract.
8. Acts of 1870, Chapter 50, provided that the counties and cities of the state could impose taxes for county and municipal purposes in the following manner and upon these conditions (1) that all taxable property would be taxed according to its value upon the principles established for state taxation, and (2) the credit of no county or city, would be given, or loaned, to any person, firm, or corporation, unless a majority of the Justices or Councilmen, first agree, and upon an election being held wherein three-fourths of the voters agree. Several counties exempted themselves from the three-fourths majority rule, substituting a simple majority for the next ten years, but Robertson County was not among their number.
  9. Private Acts of 1915, Chapter 63, provided that the penalty on the state and county taxes would be postponed for 1915 until July 1, 1915, in Robertson County and Cheatham Counties.
  10. Private Acts of 1915, Chapter 272, allowed the Quarterly Court of Robertson County at the July term, 1915, to elect a back poll tax collector for a term of two years who would be a resident of the county over 25 years old and who would be sworn into office and bonded before entering upon the duties thereof. The County Trustee would compose a list of the delinquent poll taxes due, swear to its accuracy, and deliver the same to the Quarterly Court which action would release him from any further liability. The list would be given to the collector who would cause distress warrants to issue for collection. The Poll Tax Collector would be paid 75 cents for each tax collected, which would be added to the charges, plus 6% interest. The Collector would use those receipt books furnished by the county judge, and no others. This Act was repealed by Private Acts of 1935, Chapter 379.
  11. Private Acts of 1931, Chapter 189, was the enabling legislation for Robertson County, acting through its quarterly court, to levy and collect annually for general county purposes a tax not to exceed 35 cents per \$100 property valuation which authority would exist in the county court regardless of the amount authorized to be levied and collected by the general revenue laws of the state, or otherwise. This Act was repealed below.
  12. Private Acts of 1931, Chapter 223, established the position of Delinquent Poll Tax Collector in all counties between 22,193 and 30,000 in population according to the 1930 census. The Collector would be appointed by the County, or Chairman, for two years, and would be paid all the fees for the service of process plus 70 cents for each delinquent tax collected. All poll taxes not paid by May 1, 1931, or by March 1 in the years there-after were termed delinquent taxes. The Trustee would compile a list of delinquent taxpayers and deliver the same to the Collector. The appearance of one's names on the list would be sufficient basis for the issuance of a distress warrant for collection. The collector could only use the receipt books furnished to him by the Trustee. The Collector had the authority to examine the books of any company, or corporation, could conduct hearings and summon witnesses. This Act was repealed in Item 15, below.
  13. Private Acts of 1931, Chapter 272, repealed Private Acts of 1931, Chapter 189 in its entirety.
  14. Private Acts of 1931, Chapter 518, amended Private Acts of 1931, Chapter 223, Section 2, above, to provide that all poll taxes levied on eligible male citizens were not paid by May 1, 1931, and on or before March 1 in the year following the due years were delinquent and would be turned over to the Delinquent Poll Tax Collector for disposition. Section 3 was changed to make it the duty of the collector to proceed against anyone whom he knew to be delinquent whether their name appeared on the list or not.
  15. Private Acts of 1931, Chapter 757, repealed Private Acts of 1931, Chapter 223, as the same was amended.
  16. Private Acts of 1935, Chapter 245, stated that the Back Tax Attorneys in Robertson County (identified by the use of the 1930 Federal Census figures) would receive as a commission and compensation for their services in filing suits to enforce tax liens and to collect delinquent taxes 5% of the amount of taxes actually collected which sum would be imposed upon the defendants as a part of the costs of the action.
  17. Private Acts of 1935, Chapter 379, repealed Private Acts of 1915, Chapter 272 in its entirety.

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