



County Technical Assistance Service  
INSTITUTE *for* PUBLIC SERVICE

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# Pickett

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Dear Reader:

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

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

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

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# Pickett



Pickett County Courthouse

**Original Compilation By:** William C. McIntyre, Legal Specialist

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**Updated By:** Stephen Austin, Legal Consultant, 2019

# Chapter I - Administration

## County Executive

### Private Acts of 2005 Chapter 38

**SECTION 1.** Pursuant to Tennessee Code Annotated, Section 5-6-101, the title of "county mayor" in Pickett County shall be redesignated as "county executive".

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

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

Passed: April 21, 2005.

## Administration - Historical Notes

### County Clerk

The following act once affected the office of county clerk in Pickett County. It is included herein for historical purposes. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1911, Chapter 259, set the salary of the county clerk in Pickett County at \$600 annually, but this act was repealed by Private Acts of 1915, Chapter 112.

### County Executive

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

1. Acts of 1891, Chapter 124, provided that the monthly court in Pickett County would be held on the second Monday of each month and such subsequent days as were necessary.
2. Private Acts of 1925, Chapter 69, created the office of Pickett County Judge, who would also serve as chief fiscal officer of the county. This act also gave the Pickett County Judge the power to solemnize the rights of matrimony, but it was repealed and the office abolished by Private Acts of 1933, Chapter 225.
3. Private Acts of 1933, Chapter 242, created the office of Chairman for the County Court of Pickett County.
4. Private Acts of 1933, Chapter 733, provided that the quarterly county court of Pickett County would elect a chairman at its regular July term, 1934, to take office on the first day of September, 1934, when the county judge's office would be abolished.
5. Private Acts of 1959, Chapter 225, attempted to recreate the office of Pickett County Judge, but this act was not approved by the quarterly county court and never became effective.
6. Private Acts of 1967, Chapter 3, created the office of County Judge in Pickett County effective September 1, 1968 and abolished the office of County Chairman.
7. Private Acts of 1978, Chapter 313, gave the County Judge in Pickett County concurrent jurisdiction with General Sessions Court. This Act was superseded by general law and is no longer operative.

### County Legislative Body

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

1. Acts of 1875, Chapter 70, abolished the Quorum Courts and conferred its powers and jurisdiction upon the Chairman of the County Court. This Act also allowed the Quarterly County Court to vote the stock of the county in any railroads in elections of railroad officers and directors. This Act was amended by Acts of 1891, Chapter 196, changing the meeting time of the Monthly County Court to the second Monday.
2. Acts of 1889, Chapter 227, provided that the Quarterly Court of Pickett County would meet on the

- second Mondays of January, April, July and October of each year rather than on the first Monday.
3. Private Acts of 1921, Chapter 450, set the compensation of Justices of the Peace in Pickett County at \$2.50 per day for each regular or called meeting of the quarterly county court.
  4. Private Acts of 1927, Chapter 56, amended the general law to provide that in Pickett County the incorporated town would not be entitled to elect a justice of the peace.
  5. Private Acts of 1959, Chapter 194, was an attempt to raise the per diem of Justices of the Peace in Pickett County to \$10, but this act did not receive local ratification and never became effective.
  6. Private Acts of 1971, Chapter 10, raised the per diem of justices of the peace to \$10, but this has now been superseded by the general statute found in T.C.A. 5-5-107.

### **County Trustee**

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

1. Private Acts of 1931, Chapter 256, required the county trustee to place all the county's funds on deposit with the highest responsible and solvent bidder, after the county judge advertised for bids from such banks.

## Chapter II - Animals and Fish

### Red Foxes

#### Private Acts of 1955 Chapter 30

**SECTION 1.** That there shall be a closed season upon red foxes at all times, and that red foxes may be chased with dogs at any time of the year except 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 5,000 and not more than 5,100 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 same for such a period of time as they may deem necessary and advisable.

**SECTION 2.** 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: January 27, 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 Pickett County. They are included herein for reference purposes.

1. Acts of 1897, Chapter 241, made it unlawful to fish by means other than rod and line or trot line from January 1st to June 1st each year in any stream or river in Pickett County.
2. Private Acts of 1917, Chapter 46, regulated fishing in the Obeds River and also provided that no citizen of Pickett County needed to pay any fee or license before fishing in the rivers and streams of that county.
3. Private Acts of 1917, Chapter 401, declared a closed season on Squirrels in Pickett, Fentress, Overton, Clay, Jackson and Macon counties on all unenclosed lands and on all enclosed lands without the verbal permission of the owner of the land.
4. Private Acts of 1919, Chapter 511, made it a misdemeanor for any person or persons owning bulls or boars to permit them to run at large after they reach the age of eight months.
5. Private Acts of 1925, Chapter 178, was a general stock law for Pickett County, covering horses, mules, donkeys, cattle, sheep, goats, swine and other livestock. This law was amended almost immediately by Private Acts of 1925, Chapter 604, to exempt certain lands in Pickett County from its application.
6. Private Acts of 1929, Chapter 501, made it legal to catch fish in any and all the streams of Pickett County by means of gig and basket for a portion of the year, and to provide for the payment of a privilege fee.

7. Private Acts of 1937, Chapter 773, authorized W. L. Garrett to practice veterinary medicine in

## Chapter III - Bond Issues

### Bond Issues - Historical Notes

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

#### **Buildings - Memorials**

1. Acts of 1883, Chapter 141, authorized the County Court of Pickett County to issue bonds of not more than \$10,000, to be used for building and furnishing the public buildings of the county.
2. Private Acts of 1935, Chapter 8, authorized a bond issue of \$40,000 (maximum interest rate 6%) to be used to build and furnish a courthouse in Byrdstown.
3. Private Acts of 1953, Chapter 139, provided for the issuance of bonds in an amount not to exceed \$100,000 to be used to purchase a site on which to erect a building in commemoration of members of the Armed Forces and Veterans of the various Wars in which Tennesseans have fought. These bonds were to bear interest at an annual rate of 3% and were to mature within thirty years. This was amended by Private Acts of 1953, Chapter 382, to raise the interest rate on these bonds to 5%.
4. Private Acts of 1955, Chapter 363, authorized Pickett County to issue bonds in an amount not to exceed \$50,000 for the purpose of erecting additions to public county buildings. These bonds were to mature within thirty years at a maximum interest rate of five per cent.

#### **Debts**

1. Private Acts of 1935, Chapter 7, authorized Pickett County to issue bonds of not more than \$15,000, for the purpose of funding the outstanding floating debt of the county.
2. Private Acts of 1941, Chapter 438, validated a resolution adopted by the Quarterly County Court of Pickett County on January 13, 1941, authorizing the issuance of \$20,000 3½% Funding Bonds.

#### **Roads and Bridges**

1. Private Acts of 1915, Chapter 484, provided for the issuance of bonds in the amount of \$50,000, to be used in macadamizing roads in Pickett County. These bonds were to have an annual interest rate of 5%, and were to mature within forty years. This act was amended by Private Acts of 1917, Chapter 108, to change the methods by which the road commissioners were to let bids for construction financed by proceeds from this bond sale.
2. Private Acts of 1920 (Ex. Sess.), Chapter 26, authorized a bond issue of \$50,000, to be used for finishing a road from the Kentucky-Tennessee line through Byrdstown to the Overton County line. These bonds were to have a maximum annual interest rate of 6%. This act was amended by Private Acts of 1923, Chapter 703, to provide that the bonds "shall be redeemable only on any interest-bearing date, after ten years from the date of their issuance, at par, with interest accrued, at the option of Pickett County."
3. Private Acts of 1920 (Ex. Sess.), Chapter 80, authorized the Quarterly Court to locate and build a bridge at Gunter across the Obeds River. The Act called for the appointment of a Board of Bridge Commissioners and the issuance of bonds in an amount not to exceed \$25,000.

#### **Schools**

1. Private Acts of 1937, Chapter 289, authorized a bond issue of \$30,000 par value High School Bonds, to be used for erecting a high school in Byrdstown. These bonds were to bear interest at an annual rate of 5½%, and to mature by January 1, 1956.
2. Private Acts of 1957, Chapter 49, attempted to authorize a bond issue of not more than \$100,000 of short term notes, for improving and equipping school buildings in Pickett County, but this act was not approved by the quarterly county court and these bonds were never issued.

## Chapter IV - Boundaries

### Creation

## Acts of 1879 Chapter 34

**SECTION 1.** That a new county is hereby established to be composed of portions taken from Overton and Fentress Counties, to be known and designated by the name of Pickett.

**SECTION 2.** That the county of Pickett shall be bounded as follows: Beginning at a stone in the Tennessee and Kentucky State line, marked forty-six, the same being the north-east corner of Clay county; thence south with Clay county line seven miles and 220 poles to an ironwood in James Conner's field, at a point eleven miles from Livingston; thence the arc of a circle describing the distance of eleven miles from Livingston, as follows: South 84o east 72 poles, south 82½o east 80 poles, south 81o east 80 poles, south 79½o east 80 poles, south 78o east 80 poles, south 77o east 80 poles, south 75½o east 80 poles, south 74½o east 80 poles, south 73o east 80 poles, south 71½o east 80 poles, south 70o east 80 poles, south 68½o east 80 poles, south 67o east 80 poles, south 65½o east 80 poles, south 64o east 80 poles, south 62½o east 80 poles, south 61o east 80 poles, south 59½o east 80 poles, south 58o east 80 poles, south 56½o east 80 poles, south 55o east 80 poles, south 54o east 80 poles, south 52½o east 80 poles, south 51° east 80 poles, south 49½° east 80 poles, south 48° east 80 poles, south 46½o east 80 poles, south 45o east 80 poles, south 43½o east 80 poles, south 42° east 80 poles, south 40½° east 80 poles, south 39° east 80 poles, south 37½° east 80 poles, south 35° east 80 poles, south 33½° east 80 poles, south 22o east 80 poles, south 20½o east 80 poles, south 29o east 80 poles, south 27½° east 80 poles, south 26° east 80 poles, south 24½° east 80 poles, south 23o east 80 poles, 21½o east 80 poles, south 20o east 80 poles, south 18½o east 80 poles, south 17o east 80 poles, south 15½o east 80 poles, south 14o east 80 poles, south 12½o east 80 poles, south 11o east 80 poles, south 10o east 80 poles, south 8½o east 80 poles, south 7o east 80 poles, south 5½o east 80 poles, south 4o east 80 poles, south 2½o east 80 poles, south 1° east 80 poles, south 80 poles, south 1½o west 80 poles, south 3o west 80 poles, south 4½o west 80 poles, south 6o west 80 poles, south 7½o west 80 poles, south 9o west 80 poles to a point near the Ledford place, eleven miles from Livingston; thence east 1,200 poles to a point eleven miles from Jamestown; thence an arc of a circle describing a distance of eleven miles from Jamestown, as follows: North 29½o west 80 poles, south 28o west 80 poles, north 26½o west 80 poles, north 25½o west 80 poles, north 24o west 80 poles, north 22½o west 80 poles, north 21o west 80 poles, north 19½ west 80 poles, north 18o west 80 poles, north 16½o west 80 poles, north 15° west 80 poles, north 13½° west 80 poles, north 12° west 80 poles, north 10½o west 80 poles, north 9o west 80 poles, north 8o west 80 poles, north 6½o west 80 poles, north 5o west 80 poles, north 4o west 80 poles, north 2½o west 80 poles, north 1o west 80 poles, north 80 poles, north 1½o east 80 poles, north 3o east 80 poles, north 4½o east 80 poles, north 5½o east 80 poles, north 7o east 80 poles, north 8½o east 80 poles, north 10o east 80 poles, north 12½o east 80 poles, north 14o east 80 poles, north 15½o east 80 poles, north 17o east 80 poles, north 18½o east 80 poles, north 20o east 80 poles, north 21½o east 80 poles, north 23o east 80 poles, north 24o east 80 poles, north 25½o east 80 poles, north 27° east 80 poles, north 28½° east 80 poles, north 30° east 80 poles, north 31° east 80 poles, north 33½° east 80 poles, north 35o east 80 poles, north 36½o east 80 poles, north 38o east 80 poles, north 39½o east 80 poles, north 42o east 80 poles, north 43½o east 80 poles, north 45° east 80 poles, north 46½ east 80 poles, north 49½° east 80 poles, north 51o east 80 poles, north 53½o east 80 poles, north 55o east 80 poles, north 57½o east 80 poles, north 59o east 80 poles, north 60½o east 80 poles, north 62o east 80 poles, north 64o east 80 poles, north 65o east 80 poles, north 67½o east 80 poles, north 69o east 80 poles, north 70½o east 80 poles, north 72o east 80 poles, north 73½o east 80 poles, north 75o east 80 poles, north 76o east 80 poles, north 77½o east 80 poles, north 79o east 80 poles, north 80½o east 80 poles, north 82o east 80 poles, to a point eleven miles from Jamestown, 58 poles north of Mrs. Crouch's house on Rotten's Fork, of Wolf river; thence the arc of a circle describing a distance of eleven miles from Jamestown, twelve and a half miles, to a point north 50o east of Jamestown, at a distance of eleven miles from the same; thence east nine and a quarter miles to the Scott county line; thence with said line north 45o west ten and a half miles to the Tennessee and Kentucky State line; thence west with the State line thirty-two and a half miles to the beginning, being the north-east corner of Clay County, containing two hundred and eighty-four square miles.

As amended by:

Acts of 1881, Chapter 37.

**SECTION 3.** That for the purpose of organizing the County of Pickett, W. W. Goodpasture, Jackson Winningham, L. T. Smith, J. N. Huddleston, Sr., M. F. Hurt, W. A. Gilreath and E. D. Wright, shall be, and are hereby appointed, Commissioners on the part of the several fractions of the counties of Overton and Fentress, who shall, before entering on the discharge of their duty, take an oath before some Justice of the Peace, faithfully and impartially,

to discharge all the duties incumbent upon them in this Act; and in all cases of vacancy, that may occur among said Commissioners, previous to the organization of the County Court, of said County of Pickett, the same shall be filed by remaining Commissioners, and all vacancies occurring after the organization of such court shall be filled by said court of the county of Pickett. Said Commissioners shall enter into such bond and security as may be required by the said County Court of Pickett, and payable to the Chairman thereof, conditioned for the faithful performance of their duties as required by this Act.

A majority of said Commissioners shall constitute a Board, competent to do all things herein enjoined them. They shall keep a record of all their proceedings as Commissioners, which shall be returned to the County Court of Pickett County at its first session, and the same shall be recorded by the clerk thereof on the records of said court, and they shall make such returns after the organization of said court as shall be directed thereby.

**SECTION 4.** That it shall be the duty of said Commissioners, first giving thirty days notice in two or more public places in each fraction, of the time and place to open and hold an election, in two or more places in each of the fractions proposed to be stricken off from the counties of Overton and Fentress, in order to ascertain whether two-thirds of the voters residing in each of the said fractions, are in favor of, or opposed to the formation of said new County of Pickett, and all persons qualified to vote for members of the General Assembly residing in said fractions, shall be entitled to vote in said election, and each voter who is in favor of the formation of the new county, shall have on his ticket "New County" and each voter opposed to the new County of Pickett shall have on his ticket "Old County" and if, after counting the votes cast in said election it shall appear that there are two-thirds of the legal votes cast in each of said fractions in favor of the new county, then in that case the County of Pickett shall be, and is hereby declared the county, with all the powers, privileges and advantages, and subject to all the liabilities and duties with other counties in the State.

**SECTION 5.** That in order to carry into effect and make certain and accurate the provisions in the 4th Section of this Act, said Commissioners are hereby empowered and authorized to canvass and take the census of the qualified voting population in the bounds of the several fractions proposed to be stricken off from the counties of Overton and Fentress.

**SECTION 6.** That for the due administration of justice, the different Courts to be holden in the said County of Pickett shall be held at such place or places, as may be designated by said Commissioners until the seat of Justice shall be located and all writs and other process issuing from said Courts returnable to the place, shall be legal, and the Courts of the County of Pickett, shall be under the same rules, regulations and restrictions, shall have, exercise and possess the same power and jurisdiction as prescribed by law for holding Courts in other counties, and said county shall be attached to the 16th Judicial Circuit, and the 1st Circuit and Chancery Courts shall be held at the time designated by the Judge of said Circuit.

**SECTION 7.** That all officers, civil or military, now holding office in said county, shall continue to hold their offices and exercise all the functions and powers thereof until others are elected and qualified according to this Act; Provided, That nothing in this Act shall deprive the counties from which the fractions have been taken, having exercised and holding jurisdiction over the County of Pickett and the citizens thereof, in as full and ample a manner as they now have, until the said county is organized, according to this Act.

As amended by:

Acts of 1881, Chapter 37.

**SECTION 8.** That said Commissioners are hereby empowered, and it shall be their duty, to appoint five qualified and suitable persons to divide said county into not less than 8 civil districts, designating boundaries and places for holding elections in said districts and perform all the duties relating thereto, which, by the laws of the State, such Commissioners are required to do.

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

**SECTION 10.** That it shall be the duty of the above named Commissioners, so soon as convenient, after the full and complete organization of the said County of Pickett to select and



put in nomination two or more suitable locations for the seat of justice of the County of Pickett, having a due regard for the health and convenience of a majority of the citizens of said county, neither of which places shall be more than two and one-half miles from the supposed or probable center of said County of Pickett which places shall be voted for by the legal voters of said county and the site nominated receiving the largest number of votes shall be, and is hereby declared to be, the seat of justice of the said County of Pickett, and shall be known by the name of Byrdstown.

**SECTION 11.** That it shall be the further duty of said Commission to obtain a good and sufficient title to twenty acres of land, upon which the seat of justice of said county is located, by the vote of the people, and said Commission shall lay off said land into town lots of proper size with the necessary streets and alleys, reserving \_\_\_\_\_ acres for a public square and a suitable lot for a county jail.

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

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

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

**SECTION 15.** That this Act take effect from and after its passage, the public welfare requiring it; Provided, that this Act shall not be so construed as to violate the Constitutional rights of the old counties of which it is composed.

Passed: February 25, 1879.

## County Lines

### Acts of 1883 Chapter 122

**SECTION 1.** That the county line between Clay and Pickett county be so changed as to include the lands of F. M. Taylor and the lands of the Taylor heirs, to wit: Commencing on the north boundary line of F. M. Taylor, at the Clay county line, and run westward with his line to his western boundary line, about ten poles; then south with his line about fifty poles so as to include all the lands of said F. M. Taylor and the lands of Taylor heirs in Pickett county, the amount of said lands not being more than about thirty acres, and that all laws in conflict with this Act, be and the same hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed: March 23, 1883.

### Private Acts of 1927 Chapter 776

**SECTION 1.** That the line between the counties of Fentress and Pickett, in the State of Tennessee, be so changed as to detach the lands of S. R. West from the County of Pickett, and attach the same to the county of Fentress. Said lands bounded as follows: Beginning on a sycamore on the northwest side of Wolf River, the same being the corner of Ed. Jones, running thence southwestwardly with the Ed Jones line to the corner of Ed. Stories Horsehoe Bottom tract; thence running still southwestwardly with the said Ed Stories line to the corner of the George Dukie Conataer tract of land; running thence southwestwardly with said Conatser old line to Joe Henis corner; thence northwardly with said Joe Henis line to the line of Green Moody tract of land; thence eastwardly with said Moody line to the Lillian Gilbreath, now Gilbreath heir line; thence said Gilbreath line to the county line on the north side of Wolf River; containing 350 acres, be and the same more or less.

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

Passed: April 17, 1927

## Private Acts of 1963 Chapter 211

**SECTION 1.** That the boundary line between the counties of Overton and Pickett be and is hereby changed as follows:

1. That portion of F. F. Sells' farm approximately three acres, in the Eleventh Civil District of Overton County, Tennessee, as evidenced by Deed Book No. 2, Page 287, Register's Office, Overton County, Tennessee, be removed from Overton County to Pickett County. For a detailed description of the three acres transferred from Overton to Pickett County see Deed Book referred to above."
2. "That portion of Hallie Padgett Brown's farm now located in the Eleventh Civil District of Overton County, Tennessee, as evidenced by Deed Book No. 82, Page 101, Register's Office, Overton County, Tennessee, be removed from Overton County to Pickett County. For a detailed description of this parcel of land, about \_\_\_\_\_ acres, see the Deed Book referred to above."

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

Passed: March 19, 1963.

## Public Acts of 1974 Chapter 421

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

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

A tract or parcel of land now lying in the 4th Civil District of Clay County adjacent to the existing line between Clay-Pickett County line, and beginning at the corner of tract D-81 in the division property line of G-404A; thence, north 86 degrees, 30 minutes West 920 feet; thence, north 13 degrees, 45 minutes West, 1225 feet; thence, north 38 degrees, 00 minutes East, 920 feet; thence, north 69 degrees, 15 minutes East, 335 feet; thence, north 14 degrees, 30 minutes West for 490 feet; thence north 56 degrees, 30 minutes East for 660 feet; thence, north 67 degrees, 30 minutes East for 80 feet, to the Pickett-Clay County line, south to the point of the beginning; containing approximately 48 number of acres.

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

Passed: January 28, 1974.

## Boundaries - Historical Notes

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

1. Acts of 1885, Chapter 117, changed the boundary between Overton and Pickett Counties to include in Overton all of the tract of land belonging to John Hill known as his mountain tract, the McDonald tract, all of the tract of land belonging to A. C. Brown, all of fifty acre tract belonging to Conoway Cooper and all of Milton K. Hargrove's tract of land.
2. Acts of 1885, Chapter 125, changed the line between the counties of Clay and Pickett to include in Clay county the farm known as the W. C. Heard farm and other lands or land owned by W. W. Heard and W. H. Wilburn. Also to include in Clay County all of the tract or tracts of land belonging to B. C. Wilburn and S. R. Heard.
3. Acts of 1885, Chapter 156, changed the boundary between Fentress and Pickett to include within Fentress the whole of the lands of Stokley Crabtree, Marions Crouch and J. J. Pile lying in the head of Rotten Fork of Wolf River. Also to include in Fentress the lands of David Cooper, Jennie Cooper, Thos. King, Mary Ann Hoover, Geo. Smith, Austin Choate, Wm. Choate, Thos. Cooper, Wm. Cooper and Madison Hoover.
4. Acts of 1887, Chapter 52, detached the lands of P. H. Wilburn from Pickett and placed them in Clay County.
5. Acts of 1891, Chapter 28, changed the line between Fentress and Pickett Counties to include the farms of G. W. Crouch and Jackson Rains in the county of Pickett.
6. Acts of 1891, Chapter 42, placed the farms of N. E. Storie and F. P. Storie in Pickett County.
7. Acts of 1893, Chapter 57, changed the line between Pickett and Clay Counties along the Wolf and

Obed Rivers, but this act was repealed by Acts of 1901, Chapter 270.

8. Acts of 1897, Chapter 287, changed the line between Overton and Pickett Counties so as to include all of the farm of R. H. Smith in Overton County.
9. Acts of 1899, Chapter 82, changed the boundary between Overton and Pickett to include the lands of James Conner in Overton County.
10. Acts of 1899, Chapter 105, changed the line between Pickett and Fentress Counties so as to include all the lands of F. M. Lynch in Pickett.
11. Acts of 1905, Chapter 39, changed the line between Pickett and Fentress to detach part of W. M. Johnson's land from Pickett and attach it to Fentress, at or near the Forbus Post office.
12. Acts of 1905, Chapter 193, detached part of Lottie Sells' farm from Overton and placed it in Pickett County, near Spurier, Tennessee.
13. Acts of 1905, Chapter 266, changed the line between the counties of Clay and Pickett to detach the land of Smith Mulens from Clay County and place it in Pickett, near Herd, Tennessee.
14. Acts of 1905, Chapter 373, changed the line between Overton and Pickett Counties to place all of the lands of James Boles from Overton County and attach it to Pickett County, at or near Spurier, Tennessee.
15. Acts of 1905, Chapter 378, changed the line between the counties of Overton and Pickett to remove another portion of Lottie Sells land from Overton County and place it in Pickett.
16. Private Acts of 1911, Chapter 244, changed the line between Pickett and Fentress to include all the land of the Dry Creek farm owned by Robbins and Parris in Pickett County.
17. Private Acts of 1915, Chapter 686, changed the county line between the counties of Pickett and Overton to include all the land of A. J. Lacy in Pickett County.
18. Private Acts of 1921, Chapter 453, changed the boundary between Pickett and Fentress to detach the lands of Hiram C. Crabtree from Fentress and place them in Pickett.
19. Private Acts of 1921, Chapter 700, changed the line between Fentress and Pickett to detach the Ed Storie farm from Fentress and place it in Pickett. 20. Private Acts of 1921, Chapter 803, changed the line between the counties of Pickett and Fentress to place the lands of E. G. Jones in the Ninth District of Pickett County.
20. Private Acts of 1921, Chapter 804, changed the boundary between Pickett and Fentress to place the lands of S. R. West in the Ninth District of Pickett County.
21. Private Acts of 1925, Chapter 700, placed all of the farm of Nona Crouch in Fentress County.
22. Private Acts of 1933, Chapter 213, changed the line between Overton and Pickett Counties to include the farm of Herman Parrott in Pickett County.

## Chapter V - Court System

### Chancery Court

#### Private Acts of 2019 Chapter 18

SECTION 1. The Chancery Court of Pickett County shall have jurisdiction relating to the probate of wills and the administration of estates of every nature, including the estates of decedents and of wards under guardianships or conservatorships and related matters as provided under Tennessee Code Annotated, Section 16-16-201. The Clerk and Master of Pickett County shall serve as the clerk of all matters of probate and all records relative to jurisdiction and proceedings before the court shall be filed with the Clerk and Master of Pickett County.

SECTION 2. The General Sessions Court of Pickett County shall have concurrent jurisdiction with the Circuit and Chancery Courts over domestic relations matters.

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

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

Passed: May 10, 2019.

# Circuit Court

## Clerk

### Private Acts of 1953 Chapter 146

**SECTION 1.** That the Circuit Court Clerk for Pickett County, Tennessee, shall be entitled to and receive the sum of Six Hundred Dollars (\$600.00) per annum for his services as Clerk of the Court of General Sessions. Such sum shall be in addition to and supplementary of the salary allowed him as Clerk of the Circuit Court of said County under the provisions of Section 8-2405 [8-24-104] of the Tennessee Code Annotated. Payments of such sum shall be made by equal monthly installments out of the general fund of the County. In the event the Clerk's fees of such office exceed the amount allowed him as Circuit Court Clerk under the provisions of the above Code section and the provisions of this Chapter combined, he may elect and accept such fees in lieu of salary. Provision for this added compensation is made pursuant to authority granted in Section 18-408 [18-4-201] of the Tennessee Code Annotated.

**SECTION 2.** That this Act shall have no effect unless the same be approved by a two-thirds vote of the Quarterly County Court of Pickett County. The presiding officer shall proclaim its approval or non-approval and shall certify the same to the Secretary of State.

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

Adopted: March 1, 1961.

## General Sessions Court

### Juvenile and Probate Jurisdiction

#### Private Acts of 1982 Chapter 237

**SECTION 1.** In addition to the jurisdiction conferred upon Courts of General Sessions by general law, the General Sessions Court in Pickett County shall exercise exclusive jurisdiction over all matters relating to the disposition of juveniles conferred by Tennessee Code Annotated, Title 37, and any other general law and all matters relating to the probate of wills and the administration of estates.

Such General Sessions Court shall exercise concurrent jurisdiction with the trial courts to grant fiats for the issuance of restraining orders, injunctions and attachments.

On the effective date of this Act, all courts or persons, except those courts maintaining concurrent jurisdiction, exercising jurisdiction conferred upon the Court of General Sessions by the provisions of this Act shall be divested of such jurisdiction.

The General Sessions Judge shall have the authority to appoint referees to hear special cases. When exercising juvenile jurisdiction, such referees shall be governed by and follow the same procedures set out in Tennessee Code Annotated, Section 37-207.

**SECTION 2.** The county clerk shall maintain the records, dockets, and perform such duties as may be necessary for the disposition of all probate matters coming before the General Sessions Court. 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.

As amended by: Private Acts of 2007, Chapter 107

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

**SECTION 4.** For the purpose of approving or rejecting the provisions of this Act, it shall take effect upon becoming a law, the public welfare requiring it. For all other purposes it shall take effect upon being ratified as provided in Section 3.

Passed: February 25, 1982.

## Court System - Historical Notes

### Board of Jury Commissioners - Jurors

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

1. Private Acts of 1923, Chapter 160, exempted Pickett County from the requirements of the general law that Criminal Judges appoint foremen of grand juries. Private Acts of 1927, Chapter 156, re-established the provisions of the general law for Pickett County. Private Acts of 1929, Chapter 932, repealed this provision.
2. Private Acts of 1925, Chapter 353, was the first private act setting up a Board of Jury Commissioners for Pickett County, with provisions similar to those now found in the general law. Private Acts of 1933, Chapter 735, repealed this Act and mandated that Jurors be appointed by the Quarterly County Court.
3. Private Acts of 1933, Chapter 734, provided that in Pickett County the Foreman of the Grand Jury would be appointed by the Judges of the Circuit or Criminal Courts from the venire made up by the Quarterly County Court.
4. Private Acts of 1953, Chapter 251, was the last private act creating a Board of Jury Commissioners for Pickett County before it became subject to the general law cited above.

### **Chancery Court**

The following acts form an outline of the development of equity jurisdiction in Pickett 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 1885, Chapter 12, set the time for holding Chancery Court in Pickett County on the second Mondays in April, August and December.
2. Acts of 1890, Chapter 19, changed the time for holding Chancery Court to the third Mondays in May and November.
3. Acts of 1897, Chapter 294, set the terms of Chancery Court in Pickett County on the second Mondays in April and October.
4. Acts of 1903, Chapter 97, changed the beginning date of Chancery Court terms in Pickett County to the first Thursday after the second Monday in April and the second Monday in October.
5. Private Acts of 1927, Chapter 40, provided that Chancery Court in Pickett County would be on the third Monday in March and September.

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

Listed below is an act which once applied to the clerk and master in Pickett County.

1. Private Acts of 1911, Chapter 73, provided that the Clerk and Master of the Chancery Court in Pickett County would receive an annual salary of \$600, provided that he filed an annual statement of the fees received by his office.

### **Circuit Court**

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

1. Acts of 1885, Chapter 12, set the time for holding Circuit Court in Pickett County on the second Mondays of April, August and December.
2. Acts of 1897, Chapter 294, changed the time of Circuit Court terms in Pickett County to the second Mondays in April and October.
3. Acts of 1901, Chapter 232, set the Circuit Court terms in Pickett County on the third Monday in February, the second Monday in June and the fourth Monday in October of each year.
4. Acts of 1905, Chapter 359, created a Criminal Court for the counties of Anderson, Campbell, Morgan, Scott, Pickett, Fentress and Union, and provided that in Pickett County its terms would be on the second Mondays in February, June and October. The Criminal Court would exist until September 1, 1906, thereafter criminal jurisdiction would vest in and be exercised by the Circuit Courts of said counties.
5. Acts of 1907, Chapter 85, created a court to have criminal jurisdiction in the Counties of White, Putnam, Cumberland, Overton, Pickett, Clay, Jackson, Smith, Macon, Trousdale and Smith, and provided that the judge of this court would also preside over the circuit court in Pickett, Trousdale and Macon Counties. In Pickett County court would be held the second Monday in February, June, and October. Private Acts of 1921, Chapter 629, amended the 1907 Act to require the Judge of the Fifth Judicial Circuit to preside.

**Circuit Court - Clerk**

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

1. Private Acts of 1911, Chapter 258, set the annual salary of the circuit court clerk in Pickett County at \$600, provided that an annual statement of the fees collected by that office was filed with the County Judge. This act was repealed by Private Acts of 1915, Chapter 111.

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

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

1. Acts of 1907, Chapter 381, created the office of Assistant Attorney General for the Fifth Circuit. Private Acts of 1919, Chapter 166, repealed this Act.
2. Public Acts of 1970, Chapter 537, and Public Acts of 1976, Chapter 563, provided for additional Assistant District Attorneys General for the Fifth Judicial Circuit. Pickett County is now in the Thirteenth Judicial District according to T.C.A. 16-2-506, which also stipulates the number of judges, Assistant District Attorneys General and Investigators for the District.

**General Sessions**

The following act once affected the general sessions court of Pickett County, but is no longer in effect and is included herein for reference purposes.

1. Private Acts of 1961, Chapter 146, set an additional compensation which was to be paid to the Circuit Court Clerk for his duties as the General Sessions Court Clerk for Pickett County.

**Juvenile Court**

The following act once affecting juvenile courts in Pickett County is included herein for reference purposes.

1. Private Acts of 1982, Chapter 237, gives the General Sessions Court of Pickett County exclusive jurisdiction over juvenile matters.

## Chapter VI - Education/Schools

### Board of Education

#### Private Acts of 1967-68 Chapter 5

**SECTION 1.** That there is hereby created and established in Pickett County, Tennessee, a County Board of Education to be composed of members to be elected by the qualified voters of said County in the manner hereinafter provided. Provided further, however, that nothing in this Act shall affect any of the present members of the County Board of Education or prevent said members from completing their present term of office to which they have been previously elected.

**SECTION 2.** That from and after the effective date of this Act, the Quarterly County Court of Pickett County shall have the power to make interim appointments to fill any vacancies occurring on the County Board of Education prior to the regular general election which is to be held in August, 1968. Such power of said Quarterly County Court shall be exercised in the manner heretofore provided for the election of a County Board of Education by members of the Quarterly County Court, but persons so selected or chosen shall hold membership on the County Board of Education only until their successors shall be elected at the next general election and qualified.

**SECTION 3.** That in the event a vacancy occurs on the County Board of Education of Pickett County after the regular general election of 1968, such vacancy being on account of the death, resignation, removal of residence of a member of said Board from the school district from which said member was elected or any other cause or reason, the Quarterly County Court of Pickett County in regular or called session, a quorum being present, shall elect someone to fill said vacancy, and the person so elected or appointed shall serve until a successor is duly elected at the next regular general election by the qualified voters of said County.

**SECTION 4.** That the qualified voters of Pickett County shall elect a County Board of Education to be composed of five (5) members (not counting or including any member holding over in a term to which they have been elected by the Quarterly County Court), and the five (5) members herein provided for shall be elected for a term of six (6) years. The members of said Board of Education shall be at least twenty-one (21) years of age, a citizen of the United States, the State of Tennessee, and must reside in

the district in Pickett County they represent. Four (4) of the members elected by the qualified voters of Pickett County shall represent the four (4) designated school districts. One (1) member elected by the qualified voters of Pickett County shall represent Pickett County at large and must reside in Pickett County.

As amended by: Private Acts of 1985, Chapter 18

**SECTION 5.** That Pickett County is by this Act divided into four (4) school districts as follows:

DISTRICT I

Beginning at the point where the Pickett County-Fentress County line crosses the East Fork of Obey River section of Dale Hollow Reservoir; thence down the center of East Fork of Obey River and Dale Hollow Reservoir with the various meanders thereof to the L. B. Hassler Bridge on Highway 42; thence northwardly and eastwardly with the center of Highway 42 to the center of North Main Street in the City of Byrdstown; thence southwardly and eastwardly with the center of Main Street to the northwest corner of the Courthouse square; thence eastwardly with the center of the street along the north side of the Courthouse square; thence southwardly with the center of the street along the east side of Courthouse square to the center of the intersection of Moodyville Road; thence eastwardly with the center of Moodyville Road to the center of an intersection of said road at a point between the Bethel Huddleston residence and the Flemon Brown residence; thence northwardly with the meanders of the County road which intersects said Moodyville Road as aforesaid to the center of Wolf River; thence southeastwardly with the center of Wolf River to the Pickett County and Fentress County line; thence with the Pickett County-Fentress County line to the point of beginning.

DISTRICT II

Beginning at a point in the center of Dale Hollow Reservoir where same is crossed by Highway 42 at the L. B. Hassler Bridge; thence westwardly with the center of the main body of the Dale Hollow Reservoir to the mouth of Cove Creek; thence northeastwardly with the center of Cove Creek to a point in the north line of the Dale Hollow Reservoir boundary; thence in a northwardly direction a straight line to the southwest corner of the tract of land upon which Woodrow Amonett now lives; thence northwardly with the west line of said Woodrow Amonett tract to the center of the road which leads from Highway 42 to Star Point Dock; thence northeastwardly with the center of said road to the first intersection of the road which leads northwardly to Jones Chapel; thence northwardly with the center of said road to the intersection near the Howard Tidrow residence; thence northeastwardly with the center of the road which leads past the J. M. Jolley residence to the intersection at the Frank Sells farm; thence northwardly with the center of the road which passes the Stone Means residence to the Lovelady- Jones Chapel Road near the residence of Tom Jones; thence westwardly with the center of the Lovelady-Jones Chapel road to the point where it crosses Meetinghouse Branch near the old John Reagan homeplace; thence northwestwardly with the center of Meetinghouse Branch to the center of Dale Hollow Reservoir; thence up Dale Hollow Reservoir with the center thereof to the Kentucky State line; thence eastwardly with the Kentucky State line crossing the peninsula north of the H. T. Groce residence to the center of Dale Hollow Reservoir; thence southeastwardly with the center of Dale Hollow Reservoir and Wolf River to the point where the county road which leads northwardly from Etter Community to the Edd Nicholas place crosses said Wolf River; thence southwardly with the center of said road to the center of the Moodyville Road; thence westwardly with the center of Moodyville Road to the southeast corner of the Courthouse square in Byrdstown; thence northwardly with the center of the street along the east side of Courthouse square; thence westwardly with the center of the street along the north side of Courthouse square to the center of Main Street at northwest corner of square; thence westwardly and northwardly with the center of Main Street to the center of Highway 42; thence with the center of Highway 42 westwardly and southwardly to the beginning.

DISTRICT III

Beginning at the northeast corner of Pickett County at a point in the Kentucky State line; thence westwardly with the Kentucky State line to the center of the Wolf River section of Dale Hollow Reservoir at a point east of the H. T. Groce residence; thence southeastwardly with the center of Dale Hollow Reservoir and Wolf River to the Fentress County line; thence northwardly and eastwardly with the Fentress County line to the Scott County line; thence northwestwardly with the Scott County line to the beginning.

DISTRICT IV

Beginning at a point in the Pickett County-Fentress County line in the center of the East Fork of Obey River section of Dale Hollow Reservoir; thence down and with the center of Obey River and Dale Hollow Reservoir to the mouth of Cove Creek; thence northeastwardly with the center of Cove Creek to a point in the north line of the Dale Hollow Reservoir boundary; thence in a northwardly direction a straight line to the southwest corner of the tract of land upon which Woodrow Amonett now lives; thence northwardly with the west line of said Woodrow Amonett tract to the center of the road which leads from Highway 42

to Star Point Dock; thence northeastwardly with the center of said road to the first intersection of the road which leads northwardly to Jones Chapel; thence northwardly with the center of said road to the intersection near the Howard Tidrow residence; thence northeastwardly with the center of the road which leads past the J. M. Jolley residence to the intersection at the Frank Sells farm; thence northwardly with the center of the road which passes the Stone Means residence to the Lovelady- Jones Chapel Road near the residence of Tom Jones; thence westwardly with the center of the Lovelady-Jones Chapel road to the point where it crosses Meetinghouse Branch near the old John Reagon homeplace; thence northwestwardly with the center of Meetinghouse Branch to the center of Dale Hollow Reservoir; thence up Dale Hollow Reservoir with the center thereof to the Kentucky State line; thence westwardly with the Kentucky State line to the northeast corner of Clay County; thence southwardly with the Clay County line to the Overton County line; thence southeastwardly with the Overton County line to the Fentress County line; thence eastwardly and northwardly with the Fentress County line to the beginning.

**SECTION 6.** That the membership of the County Board of Education shall be elected by the qualified voters of said county in the following manner:

At the next general election to be held in August, 1968, one (1) person shall be elected to the County Board of Education by the qualified voters of School District Number four (4). The term of office shall be for six (6) years beginning September 1, 1968. At the general election in August, 1970, one (1) person shall be elected to the County Board of Education by the qualified voters for School District Number three (3). The term of office shall be for six (6) years beginning September 1, 1970.

At the general election in August, 1972, two (2) persons shall be elected to the County Board of Education, one (1) by the qualified voters for School District Number one (1) and one (1) by the qualified voters for School District Number two (2). The term of office shall be for six (6) years beginning September 1, 1972.

The county commissioners of Pickett County shall appoint a person to fill the vacancy of the position of fifth member of the Pickett County School Board. When the next Pickett County general election is held, the fifth member shall be selected at large from Pickett County by the qualified voters of Pickett County. The term of office shall be for six (6) years beginning September 1, 1986.

As amended by: Private Acts of 1985, Chapter 18

**SECTION 7.** That the powers, duties, qualifications and mode of procedure of the County Board of Education of Pickett County shall be the same as now provided for a County Board of Education under the general statutes and laws of the State of Tennessee, not inconsistent with the provisions of this Act.

**SECTION 8.** That the members of the County Board of Education of Pickett County shall be compensated at the rate of Ten Dollars (\$10.00) per day for each day's attendance upon meetings of the County Board of Education, and they shall also receive Ten Cents (10¢) per mile one way, as traveling expenses between their homes and the county seat of said county. Such compensation and mileage expenses shall be paid out of the school fund of said county.

**SECTION 9.** That it is hereby declared to be the intent of the General Assembly of the State of Tennessee to provide a County Board of Education for Pickett County to be elected by the qualified voters and said Board to be composed of five (5) members and to serve staggered terms of six (6) years each, but the County Board of Education membership may, during the period of transition from the former system of electing members to said Board, exceed for a period of time more than five (5) members.

As amended by: Private Acts of 1985, Chapter 18

**SECTION 10.** That this Act shall have no effect unless the same shall be approved by a majority of the voters voting in an election to be held for such purpose. Within 30 days after the approval of this Act by the Governor, or after its otherwise effective date, it shall be the duty of the County Board of Election Commissioners of Pickett County to call an election for the county to be held not less than 20 nor more than 40 days from the date of such call for the purpose of accepting or rejecting the provisions of this Act. The ballots used in such election shall have printed thereon the title, caption or general substance of this Act and voters shall vote for or against its adoption. The votes cast at such election shall be canvassed by the County Board of Election Commissioners upon the first Monday occurring five or more days next after the date of such election and the results shall be proclaimed by such board and certified to the Secretary of State. The qualification of voters shall be that provided by law for participation in general elections and all laws applicable to general elections shall apply to an election held hereunder. The cost of said election shall be paid by the county to which this Act applies.

**SECTION 11.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 6, 1967.



# Education/Schools - Historical Notes

## **Superintendent or Director of Schools**

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

1. Private Acts of 1967-68, Chapter 4, created and established in Pickett County, Tennessee, the office of County Superintendent of Schools, which position was filled by election by the qualified voters of said county. In the event of vacancy in the office of County Superintendent of Schools in said county after the regular August, 1968, the Quarterly County Court would elect someone to fill said vacancy until a successor was elected at the next general election.

## **General Reference**

The following acts constitute part of the administrative and political heritage of the educational structure of Pickett 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 1901, Chapter 472, established a special school district to be known as School District No. 11. [All special school districts which were not taxing districts were abolished by the general education act of 1925.]
2. Acts of 1907, Chapter 281, created an independent school district out of parts of Pickett County and Overton County, to be known as the Bethsaida District.
3. Acts of 1909, Chapter 494, was a compulsory education act requiring the parents or guardians of any child between the ages of eight and fourteen to send their children to school for at least four months or eighty consecutive days each year.
4. Private Acts of 1917, Chapter 555, was a general education law for Overton and Pickett Counties governing the operating procedures of the elementary and high schools in the county systems and in the special school districts. Private Acts of 1923, Chapter 195, removed Pickett County from this Act's provisions.
5. Private Acts of 1917, Chapter 670, re-established the Bethsaida School District out of parts of Pickett and Overton Counties. This act was more elaborate than the original 1907 act, setting out the exact boundaries, method of selecting the trustees and their duties and requiring an annual scholastic population. This act was repealed by Private Acts of 1925, Chapter 573.
6. Private Acts of 1917, Chapter 707, was House Bill No. 1177 and was identical to Chapter 670 of the Private Acts of 1917, which was its companion Senate Bill.
7. Private Acts of 1925, Chapter 10, provided for the election by popular vote of a County Superintendent of Public Schools, but this act was repealed in the next legislative session by Private Acts of 1927, Chapter 322.
8. Private Acts of 1925, Chapter 256, authorized the Pickett County Board of Education to pay Otto Groce the sum of \$311.32 out of the elementary school funds for the purpose of refunding to him the amount which he had personally advanced for the erection of the Jones Chapel School House in 1922.
9. Private Acts of 1927, Chapter 396, created a five member County Board of Public School Directors for Pickett County to be elected from the county as a whole for five year terms. The County Board of Education was abolished.
10. Private Acts of 1929, Chapter 439, provided that the county superintendent of education would be elected biennially by the Quarterly County Court at its January term. Private Acts of 1933, Chapter 648, and Private Acts of 1937, Chapter 738, were both amendatory to the original act, adjusting the annual salary of that position.
11. Private Acts of 1941, Chapter 318, established a five member County Board of Public School Directors, one member to be elected from each of Pickett County's civil districts by the voters in that district. This was amended by the Private Acts of 1949, Chapter 721, to provide that the school board would be elected by the Quarterly County Court.
12. Private Acts of 1972, Chapter 210, attempted to amend the Private Acts of 1967-68, Chapter 5, by providing for the election of a fifth member of the school board from the county at large, and by requiring that all members of the school board be at least eighteen years old.

# Chapter VII - Elections

## Civil Districts

### Private Acts of 1967-68 Chapter 2

**COMPILER'S NOTE:** This act establishes the civil districts of Pickett County, which are not necessarily the same as county legislative body districts.

**SECTION 1.** That the civil districts of Pickett County be and they are hereby rearranged into four (4) civil districts and the numbers and boundaries of said districts shall be as follows, to-wit:

#### DISTRICT I

Beginning at the point where the Pickett County-Fentress County line crosses the East Fork of Obey River section of Dale Hollow Reservoir; thence down the center of East Fork of Obey River and Dale Hollow Reservoir with the various meanders thereof to the L. B. Hassler Bridge on Highway 42; thence northwardly and eastwardly with the center of Highway 42 to the center of North Main Street in the City of Byrdstown; thence southwardly and eastwardly with the center of Main Street to the northwest corner of the Courthouse square; thence eastwardly with the center of the street along the north side of the Courthouse square; thence southwardly with the center of the street along the east side of Courthouse square to the center of the intersection of Moodyville Road; thence eastwardly with the center of Moodyville Road to the center of an intersection of said road at a point between the Bethel Huddleston residence and the Flemon Brown residence; thence northwardly with the meanders of the County road which intersects said Moodyville Road as aforesaid to the center of Wolf River; thence southeastwardly with the center of Wolf River to the Pickett County and Fentress County line; thence with the Pickett County-Fentress County line to the point of beginning.

#### DISTRICT II

Beginning at a point in the center of Dale Hollow Reservoir where same is crossed by Highway 42 at the L. B. Hassler Bridge; thence westwardly with the center of the main body of the Dale Hollow Reservoir to the mouth of Cove Creek; thence northeastwardly with the center of Cove Creek to a point in the north line of the Dale Hollow Reservoir boundary; thence in a northwardly direction a straight line to the southwest corner of the tract of land upon which Woodrow Amonett now lives; thence northwardly with the west line of said Woodrow Amonett tract to the center of the road which leads from Highway 42 to Star Point Dock; thence northeastwardly with the center of said road to the first intersection of the road which leads northwardly to Jones Chapel; thence northwardly with the center of said road to the intersection near the Howard Tidrow residence; thence northeastwardly with the center of the road which leads past the J. M. Jolley residence to the intersection at the Frank Sells farm; thence northwardly with the center of the road which passes the Stone Means residence to the Lovelady- Jones Chapel Road near the residence of Tom Jones; thence westwardly with the center of the Lovelady-Jones Chapel road to the point where it crosses Meetinghouse Branch near the old John Reagan homeplace; thence northwestwardly with the center of Meetinghouse Branch to the center of Dale Hollow Reservoir; thence up Dale Hollow Reservoir with the center thereof to the Kentucky State line; thence eastwardly with the Kentucky State Line crossing the peninsula north of the H. T. Groce residence to the center of Dale Hollow Reservoir; thence southeastwardly with the center of Dale Hollow Reservoir and Wolf River to the point where the county road which leads northwardly from Etter Community to the Edd Nicholas place crosses said Wolf River; thence southwardly with the center of said road to the center of the Moodyville Road; thence westwardly with the center of Moodyville Road to the southeast corner of the Courthouse square in Byrdstown; thence northwardly with the center of the street along the east side of Courthouse square; thence westwardly with the center of the street along the north side of Courthouse square to the center of Main Street at northwest corner of square; thence westwardly and northwardly with the center of Main Street to the center of Highway 42; thence with the center of Highway 42 westwardly and southwardly to the beginning.

#### DISTRICT III

Beginning at the northeast corner of Pickett County at a point in the Kentucky State line; thence westwardly with the Kentucky State line to the center of the Wolf River section of Dale Hollow Reservoir at a point east of the H. T. Groce residence; thence southeastwardly with the center of Dale Hollow Reservoir and Wolf River to the Fentress County line; thence northwardly and eastwardly with the Fentress County line to the Scott County line; thence northwestwardly with the Scott County line to the beginning.

#### DISTRICT IV

Beginning at a point in the Pickett County-Fentress County line in the center of the East Fork of Obey River section of Dale Hollow Reservoir; thence down and with the center of Obey River and Dale Hollow Reservoir to the mouth of Cove Creek; thence northeastwardly with the center of Cove Creek to a point in the north line of the Dale Hollow Reservoir boundary; thence in a northwardly direction a straight line to the southwest corner of the tract of land upon which Woodrow Amonett now lives; thence northwardly with the west line of said Woodrow Amonett tract to the center of the road which leads from Highway 42 to Star Point Dock; thence northeastwardly with the center of said road to the first intersection of the road which leads northwardly to Jones Chapel; thence northwardly with the center of said road to the intersection near the Howard Tidrow residence; thence northeastwardly with the center of the road which leads past the J. M. Jolley residence to the intersection at the Frank Sells farm; thence northwardly with the center of the road which passes the Stone Means residence to the Lovelady- Jones Chapel Road near the residence of Tom Jones; thence westwardly with the center of the Lovelady-Jones Chapel road to the point where it crosses Meetinghouse Branch near the old John Reagan homeplace; thence northwestwardly with the center of Meetinghouse Branch to the center of Dale Hollow Reservoir; thence up Dale Hollow Reservoir with the center thereto to the Kentucky State line; thence westwardly with the Kentucky State line to the northeast corner of Clay County; thence southwardly with the Clay County line to the Overton County line; thence southeastwardly with the Overton County line to the Fentress County line; thence eastwardly and northwardly with the Fentress County line to the beginning.

**SECTION 2.** That the enactment of this statute shall not affect the present term of office of the Justices of the Peace and Constables of Pickett County elected from the civil districts of said county as heretofore constituted and existing. The Justices of the Peace for each of the four Civil Districts established by this Act shall be elected as the law requires and for the terms provided on the first Thursday in August, 1972, and take office on September 1, 1972, and the Constables for each of the four Civil Districts established by this Act shall be elected as the law requires and for the terms provided on the first Thursday in August, 1968, and take office on September 1, 1968. In order that the Quarterly County Court of Pickett County and the County Commissioners of Election may make provisions for voting precincts and registering voters according to this Act and for all other purposes except as stated in Section 4, this Act shall take effect upon being ratified as provided in Section 3 of this Act.

**SECTION 3.** That this Act shall have no effect unless the same shall be approved by a majority of the voters voting in an election to be held for such purpose. Within 30 days after the approval of this Act by the Governor, or after its otherwise effective date, it shall be the duty of the County Board of Election Commissioners of Pickett County to call an election for the county to be held not less than 20 nor more than 40 days from the date of such call for the purpose of accepting or rejecting the provisions of this Act. The ballots used in such election shall have printed thereon the title, caption or general substance of this Act and voters shall vote for or against its adoption. The votes cast at such election shall be canvassed by the County Board of Election Commissioners upon the first Monday occurring 5 or more days next after the date of such election and the results shall be proclaimed by such board and certified to the Secretary of State. The qualification of voters shall be that provided by law for participation in general elections and all laws applicable to general elections shall apply to an election held hereunder. The cost of said election shall be paid by the county to which this Act applies.

**SECTION 4.** That for the purpose of ratifying this Act as provided in Section 3, it shall take effect upon its passage, the public welfare requiring it.

Passed: March 6, 1967.

## Elections - Historical Notes

The following is a listing of acts for Pickett 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 1903, Chapter 113, abolished the Ninth Civil District of Pickett County and renumbered the remaining civil districts.
2. Private Acts of 1921, Chapter 212, called for an election to ascertain the will of the Pickett County voters on a stock law for the county.
3. Private Acts of 1925, Chapter 85, provided for the re-districting of Pickett County into five civil districts. This act was amended by Private Acts of 1925, Chapter 623, Page 2319, to change the boundary between the newly created first and second civil districts.
4. Private Acts of 1929, Chapter 726, changed the boundary between the first and second civil districts and also between the third and fifth civil districts of Pickett County.

## Chapter VIII - Health

### Landfill

#### Private Acts of 1988 Chapter 232

**SECTION 1.** No solid waste, hazardous or toxic waste landfill shall be constructed in Pickett County, Tennessee and no contract between any person or persons for the purpose of constructing or utilizing the same shall be completed or executed unless the location of the landfill area shall have been approved by the Tennessee Department of Health and Environment and the governing body of Pickett County. Should the Department of Health and Environment or the governing body of Pickett County disapprove of the site no further action shall be taken in regard to the construction of a landfill in Pickett County.

**SECTION 2.** Nothing in this act shall affect the regulations set forth by the Department of Health and Environment of the State of Tennessee.

**SECTION 3.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Pickett County by September 1, 1988. 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 4.** For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 3.

Passed: April 29, 1988.

### Health - Historical Notes

The following summaries are included herein for reference purposes.

1. Private Acts of 1915, Chapter 590, authorized persons who had been assistant pharmacists for not less than ten consecutive years to conduct the business of druggists in Pickett County, without the need of taking the examination usually required before the issuance of a pharmacist's license. This act was amended by Private Acts of 1917, Chapter 517, to make it applicable to persons who had served as a regular clerk under a registered pharmacist rather than to assistant pharmacists.
2. Private Acts of 1921, Chapter 881, authorized persons who had been assistant pharmacists for not less than ten consecutive years to conduct the business of druggists in Pickett County. The individual would be required to obtain a license as a registered pharmacist, but an examination would not be required.

## Chapter IX - Highways and Roads

### Road Law

#### Private Acts of 1957 Chapter 104

**SECTION 1.** That Chapter No. 295 of the Private Acts of 1941, the caption of which is set out in the caption hereof, be and the same is hereby repealed, as of the first day of September 1958, but will remain in full force and effect until said date, and on said date any office created by said Act is hereby abolished.

**SECTION 2.** That in order to establish a system for the construction, repair, maintenance and operation of a road system in all counties of this state having a population of not less than 5,050 and not more than 5,100 according to the Federal Census of 1950 or any subsequent Federal Census in lieu of the system created by the Act repealed in the first section hereof, there is hereby created the office of Road Supervisor who shall be elected at the next general election in August, 1958, who shall hold his office for a term of two years or until his successor is elected and qualified, provided that no member of the County Court shall be eligible to the office of Road Supervisor. The said Road Supervisor shall take his oath of office on the first day of September, 1958, and shall take over and perform the duties of his office on the first day of September, 1958, and before he assumes the duties and obligations of his office he shall be required to make an indemnity bond, to be paid out of said gas tax, in the amount of Ten Thousand (\$10,000.00) Dollars with some solvent bonding company authorized to do business in Tennessee, payable to the County that he will faithfully and honestly comply with the requirements of his office. The said County Road Supervisor may be removed from office as other public officials are removed from office.

In case of vacancy in office of the Road Supervisor, and occurring while the Quarterly County Court is not in session, the same shall be filled by appointment made by the Judge or Chairman of the County Court, to hold until the next meeting of the Quarterly County Court when the vacancy will be filled by the Court until the next regular August election. The Road Supervisor shall be a resident of the county, a freeholder, and must have had at least two years previous experience as road builder and known to be a well qualified man with ability to deal with the public and to handle efficiently and ably the workers under this supervision. The said Road Supervisor shall devote his entire time to the duties of his office which may be increased or diminished from time to time. In the event the county needs his services in connection with other road construction or in securing rights of way for other roads or highways, not directly under his supervision, he must make himself available. The said Road Supervisor, when elected under this Act, shall receive Three Hundred Fifty (\$350.00) Dollars per month for his services and in addition thereto he shall be allowed a county owned pickup truck to make his trips over the county roads, said upkeep and gas used in this county owned truck shall be paid out of the county road fund, as well as all salaries incident to the various road operations, shall be paid from said road fund. Said road fund is created by the gas tax received from the State and should at any time this gas tax be withheld for any cause from the county, then all expenses of road building, including salaries, shall terminate and payments cease. The book-keeper hereinafter named shall draw his, or her, pay from the road or gas fund the same as other payments are made. The Road Supervisor shall maintain an office or offices at the county garage and shall see that all trucks and other machinery are left at such garage at the end of each work day, except for such machinery that for reasons of economy to the county is left at the site of road operations where it is to be used next following such day. The Road Supervisor shall receive as payment for his expenses the sum of One Hundred Fifty Dollars (\$150.00) per month.

As amended by: Private Acts of 1969, Chapter 126

**COMPILER'S NOTE:** Tennessee Code Annotated Section 8-24-102 establishes the minimum compensation for the Road Supervisor. Furthermore, Tennessee Code Annotated Section 54-7-108 sets the bond of the Road Supervisor at \$100,000.

**SECTION 3.** That the Road Supervisor shall have general supervision of all common and graded and macadamized roads in the county, other than the State and Federal Highways. He shall have control of the funds derived from taxation or otherwise for the construction and maintenance of all roads in the county under the limitations hereinafter provided for. It shall be the duty of the Road Supervisor to purchase all machines, tools, supplies, etc., under the rules of public advertising for sealed bids for each month's supplies upon estimates or requisitions. All bids to be opened on a fixed date in the office of the County Judge or Chairman in the presence of the County Judge or Chairman, the Clerk of the County Court and the Road Supervisor, and the contract for purchase awarded to the lowest and best bidder. An emergency fund of Fifteen Hundred (\$1500.00) Dollars is hereby set up each month and the same to be used by the Road Supervisor in the purchase of materials, machinery and other articles necessary for the carrying on of his duties as such Road Supervisor, and any of this money expended by him during the month shall be accounted for at the end of each month in full. Any of said fund not expended at the end of the month shall revert to the general road fund of the county. It shall be the duty of the Road Supervisor to take receipts showing the full amounts paid for such purchases for any company, firm, individual or from any source that said purchases shall be made and to file said receipts along with his reports to be made monthly, with the Clerk of the County Court, which shall become a part of the road records and which shall be kept as a public record. The Road Supervisor shall not incur any debt beyond the sum set apart for roads for each current year, and at the expiration of his term of office any and all debts so incurred shall become an obligation against himself and his bondsmen and shall be collected by the county as other debts, and when paid shall be returned to the county road fund.

He shall keep or cause to be kept a record of all his actions, preserve all papers, accounts, petitions and reports which may come into his hands and which shall become public records, subject to inspection to any one who may desire to see them. He shall, before giving orders for payment, carefully audit the accounts of overseers and other persons employed by him. He shall keep a complete and full record of all claims which he orders paid and shall draw an order on the County Judge for same which shall state in detail for what purpose this order is to be paid, and it shall be the duty of the Commissioner of Roads to issue warrant to the Trustee for payment which shall constitute a charge against the County Road fund. The Road Supervisor shall make or cause to be made a complete detailed report to each Quarterly County Court term, same to be made out in duplicate, one to be retained in the office of the Road Supervisor and the other to be filed with the County Court Clerk for public view. At the first session each year of the Quarterly County Court, a complete inventory of all the county's road machinery, tools and all other property shall be shown in said report, showing in what repair same is at the beginning of each year as well as to show in said report the conditions of each district roads and bridges.

As amended by: Private Acts of 1973, Chapter 57

**SECTION 4.** That said Road Supervisor shall have the authority and it shall become his duty to lay out all

roads in the county any (sic) classify them into First-class, Second-class, Third-class and Fourth-class roads. First-class roads shall not be less than 24 feet in width, Second-class not less than 18 feet wide, Third-class not less than 14 feet wide, and Fourth-class not less than 9 feet wide. Said Road Supervisor can make any changes in the county roads as the public needs may require by cutting down grades, ditching, cutting off rights-of-way, opening or closing by mutual consent with interested parties to adjacent properties by written agreement. None of the public road funds shall be spent on private roads, without first laying them off and designating them as public roads, to be included within the above classes to be kept open to the public. Any other method for opening public roads shall be within the provisions of the general law of condemnation procedure. It is further provided, that the Road Supervisor shall have control of the building, repairing and maintaining of all bridges and culverts within the county road system, and shall buy only first class material for the use in the construction and repairing of said bridges.

**SECTION 5.** That the Road Supervisor shall have full power to hire and to fire men employed to do road work. He shall fix their wages, which shall be in accordance with the prevailing wage scale for like work in the community where their work is performed, he shall have the authority and it shall be his duty to get the best qualified men to use with the operation of the county's machinery.

**SECTION 6.** That the Road Supervisor shall have authority to appoint a bookkeeper, prescribe his, or her, duties, and fix his, or her, compensation at Three Hundred (\$300.00) Dollars per month, and said bookkeeper shall serve at the pleasure of said Road Supervisor. Said bookkeeper is to keep all the records of the County Highway Department and is to work in the office of the Road Supervisor. No member of the County Court shall be eligible for the office of bookkeeper for said County Highway Department. Said compensation of said bookkeeper when fixed shall be paid from the county's gas tax road fund and chargeable thereto. Before said bookkeeper assumes the duties and obligations of his, or her, office, he shall be required to make an indemnity bond in the amount of One Thousand (\$1,000.00) Dollars with good and sufficient security, approved by said Road Supervisor, payable to the county, that he will faithfully and honestly comply with the requirements of his office.

As amended by: Private Acts of 1971, Chapter 9

**SECTION 7.** That this Act shall be liberally construed and interpreted, and its provisions are hereby declared to be severable. If any of its sections, provisions, exceptions, sentences, clauses, phrases or parts be held unconstitutional or void, the remainder shall continue in full force and effect, it being the legislative intent now hereby declared, that this Act would have been adopted even if such unconstitutional or void matter had not been included therein.

**SECTION 8.** That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

**SECTION 9.** That this Act shall have no effect unless the same shall be approved by a majority of the voters voting in an election to be held for such purpose. Within 15 days after the approval of this Act by the Governor, it shall be the duty of the county board of election commissioners of the county to which this Act applies to call an election for the county to be held not less than 20 nor more than 40 days from the date of such call for the purpose of accepting or rejecting the provisions of this Act. The ballots used in such election shall have printed thereon the title of this Act and voters shall vote for or against its adoption. The votes cast at such election shall be canvassed by the county board of election commissioners upon the first Monday occurring 5 or more days next after the date of such election, and the results shall be proclaimed by such board and certified to the Secretary of State. The qualification of voters shall be that provided by law for participation in general elections and all laws applicable to general elections shall apply (sic) to an election held hereunder.

**SECTION 10.** That this Act shall take effect for the purpose of holding the validating election, and for the purpose of permitting the qualification of candidates for nomination and election to the office created herein from and after its passage, for all other purposes this Act shall take effect on the first day of September, 1958, the public welfare requiring it.

Passed: February 21, 1957.

## Highways and Roads - Historical Notes

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

1. Private Acts of 1929, Chapter 804, was the first private act setting out a road law for Pickett County. This act established a County Highway Commission of three members to be elected by

the Quarterly County Court for six year terms, and this commission was authorized to employ a Superintendent of County Roads.

2. Private Acts of 1941, Chapter 295, provided for a County Board of Public Highways to consist of five members, one from each of the county's civil districts, elected by the voters in their home districts. This board was also authorized to employ a Supervisor of Public Roads. This act was amended by Private Acts of 1943, Chapter 367, to decrease the salary of the Supervisor of Public Roads and to provide for the employment of a Purchasing Agent for the county road department. These acts were repealed by Private Acts of 1957, Chapter 104.

## Chapter X - Law Enforcement

### Law Enforcement - Historical Notes

#### **Sheriff**

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

1. Private Acts of 1949, Chapter 695, provided that the Sheriff of Pickett County would be paid a sum not less than \$150 monthly out of the county treasury as compensation for patrol work and protective services since the general law provisions then in effect were declared not to provide sufficient compensation for Pickett County to obtain the services of competent and suitable persons for the office of Sheriff.

## Chapter XI - Taxation

### Litigation Tax

#### Private Acts of 1982 Chapter 231

**SECTION 1.** There is levied a privilege tax on litigation in the amount of five dollars (\$5.00) upon all original civil suits and cases filed in Circuit, Chancery and General Sessions Courts in Pickett County.

**SECTION 2.** There is levied a privilege tax on litigation of ten dollars (\$10.00) in all criminal cases instituted in the Circuit Court in Pickett County.

**SECTION 3.** The term "case" shall include ex parte as well as adversary or contested proceedings.

**SECTION 4.** The privilege tax on litigation shall be collected by the clerks of the respective courts and taxed as part of the costs in each suit or case. Such clerks shall be accountable for and shall pay over the revenue to the county Trustee quarterly, not later than the tenth (10th) of the month immediately following the end of the quarter in which such collections are made.

**SECTION 5.** The county Trustee shall deposit the amounts collected in the Pickett County General Fund.

**SECTION 6.** 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 application 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 7.** This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Pickett County before September 6, 1982. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body of Pickett County and certified by him to the Secretary of State.

**SECTION 8.** 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 7.

Passed: February 25, 1982.

### Taxation - Historical Notes

#### **Assessor of Property**

The following act was superseded, repealed or failed to win local ratification, but is listed here as a reference to laws which once affected the Pickett County Assessor.

1. Private Acts of 1951, Chapter 689, set the annual salary of the Pickett County Tax Assessor at \$800, payable monthly

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