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# Chapter I - Administration

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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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## Chapter I - Administration

### Airport

#### Private Acts of 1937 Chapter 766

**SECTION 1.** That Montgomery County, acting through its Quarterly County Court, is authorized and empowered to acquire land in that county for airport purposes, by deed, lease, gift or otherwise, and upon such terms and conditions as its Quarterly County Court may determine, and to keep and maintain such airport. That the Quarterly County Court of said county is hereby authorized and empowered to levy a tax to acquire and maintain said airport.

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

Passed: May 21, 1937.

### Alcoholic Beverages

#### Private Acts of 1949 Chapter 797

**SECTION 1.** That the County Court of Montgomery County, under the provisions of Section Nine of Article Eleven of the Constitution, is vested with powers to pass ordinances with regard to private and local affairs hereinafter expressly set forth, by the affirmative vote of a majority of not less than two-thirds of the total number of members thereof; a meeting for the purpose of using these powers may be called on notice given by the County Judge or three members of the County Court.

**SECTION 2.** That an ordinance under the powers which it is deemed expedient to vest in said County Court shall only be valid after three readings at intervals of not less than ten days of the ordinance; after the first reading and within the ensuing ten days publication of the action entered upon the minutes shall be made two times in a newspaper or newspapers of general circulation in said County; the second reading shall be at a regular or at an adjourned meeting, the date of which shall be fixed at the first reading, and the third reading shall be after a similar publication and at a regular or adjourned meeting, the data of which was so fixed; each publication notice shall be sufficient to inform the public as to the content of the ordinance and upon passage the ordinance shall be enrolled for public inspection in an indexed book in the office of the County Court Clerk, and all expense of publication and enrollment shall be paid by the County.

**SECTION 3.** That acting as herein set forth, said County Court may by ordinance: (sic) (1) provide for the taxation of advertisements of beer, ale or any beverage that contains alcohol, such tax to be based by classification on the size, visibility, number of hours used, position on any highway, tendency to obscure the vision of users of the highway, blinding effect, or effect on traffic safety of signs and signals to promote safety, location and character of the advertising, whether indoors or outdoors if visible from a public place, whether painted or lighted, moving or still, as set forth in said ordinance, provided, this shall not apply to advertisements in newspapers or periodicals; (2) provide for reports, methods, regulations for the collection of such taxes; (3) provide that a failure to comply shall be a misdemeanor and also that when any tax is not paid in accordance with such ordinance, the tax shall be triple that otherwise provided if the liability for payment has to be established by county authorities; (4) provide as a condition to enforcement that the net returns of revenue from advertisements within any municipal corporation shall be proportionately divided between the county and said municipal corporation, with an allowance of not more than twenty per cent (20%) of the gross returns to said County for administration.

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

Passed: April 13, 1949.

#### Private Acts of 1949 Chapter 916

**SECTION 1.** That the County Court of Montgomery County, under the provisions of Section 9 of Article 11 of the Constitution, is vested with powers to pass ordinances with regard to private and local affairs hereinafter expressly set forth, by the affirmative vote of a majority of the total number of members thereof; a meeting for the purpose of using these powers may be called on notice given by the County Judge or three members of the County Court.

**SECTION 2.** That an ordinance under the powers which it is deemed expedient to vest in said County

Court shall only be valid after three readings at intervals of not less than ten days of the ordinance; after the first reading and within the ensuing ten days publication of the action entered upon the minutes shall be made two times in a newspaper or newspapers of general circulation in said county; the second reading shall be at a regular or at an adjourned meeting, the date of which shall be fixed at the first reading, and the third reading shall be after a similar publication and at a regular or an adjourned meeting, the date of which was so fixed; each publication notice shall be sufficient to inform the public as to the content of the ordinance and upon passage the ordinance shall be enrolled for public inspection in an indexed book in the office of the County Court Clerk, and all expenses of publication and enrollment shall be paid by the County.

**SECTION 3.** That acting as herein set forth said County Court may by ordinance: (1) regulate the sale of beer and ale, the places in which it may be consumed, the location and the hours and circumstances under which it may be sold and/or consumed, the disposition of containers and its transportation by retailers, and prohibit amusement devices, musical instruments, dancing facilities, chairs and tables, and require that the buildings in which beer is sold be so constructed as to facilitate regulation of operation, and be so located and arranged that side doors, back doors, closets, ante-rooms or other space may not be used to prevent or make difficult a brief inspection of the premises and fix the general location of the places of business, and (2) provide that any violation of such ordinance is a misdemeanor, and (3) provide that a third violation shall be a felony, and (4) provide that upon a second conviction of a misdemeanor any Court in the County may require that a bond to keep the peace, as provided for in the Code of Tennessee, may be required as a consideration to further operation by the offenders.

**SECTION 4.** That the provisions of this Act are hereby declared to be severable; and that if any section, provision, exception, sentence, clause, phrase, or part of this Act be held unconstitutional or void, the remainder of the Act shall continue in full force and effect, it being the Legislative intent now hereby declared that this Act would have been adopted even if such unconstitutional or void matter had not been included in the same.

**SECTION 5.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: April 15, 1949.

## Board of Equalization

### Private Acts of 1949 Chapter 839

**COMPILER'S NOTE:** This Act may be superseded by general law. For the general law provision, see T.C.A. 67-1-403

**SECTION 1.** That the compensation of the Equalization Board of Montgomery County be and the same is hereby fixed at Six Dollars per diem for the Chairman, Eight Dollars per diem for the Secretary, and Five Dollars per diem for the other members thereof.

**SECTION 2.** That said Board of Equalization of Montgomery County shall be authorized, in its discretion, to employ, from each Civil District and City Ward in said County, a person who is familiar with real estate values in said District or Ward, to assist and advise the Board in its work with reference to his particular District or Ward. The compensation of such assistants shall be Five Dollars per diem.

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

Passed: April 14, 1949. .

## Carnival, Circus, Street Fairs

### Private Acts of 1957 Chapter 155

**SECTION 1.** That all counties in this State having a population of not less than forty four thousand one hundred (44,100) and not more than forty four thousand two hundred (44,200) according to the Federal Census of 1950, or any subsequent census, shall prohibit any street fairs, carnivals, circuses and menageries operated in the open air or any tent from operating in said county for more than one day in any one week.

**SECTION 2.** That no tickets shall be sold for and no admission charge collected for any street fair, carnival, circus, menageries or any other show or exhibition connected with such fair, carnival, circus, or menageries between the hours of 10:00 P.M. and the following 10:00 A.M.

**SECTION 3.** That no street fair, carnival, circus, or menageries or any show or exhibition connected with

such fair, carnival, circus, or menageries shall be operated between the hours of 10:30 P.M. and the following 10:00 A.M. and no customers or patrons shall be permitted to enter or to remain in any such fair, carnival, circus, or menageries or any show or exhibition being a part of or connected with any such fair, carnival, circus or menageries.

**SECTION 4.** That no barker, announcer or other person shall, between the hours of 10:00 P.M. and the following 10:00 A.M. endeavor in any way to persuade anyone to buy tickets for, or pay admission for or enter any part of any amusement or exhibition connected with any street fair, carnival, circus or menageries between 10:00 P.M. and the following 10:00 A.M. no performers or exhibitionists employed by or connected with any part of any exhibition or amusement connected with any such fair, carnival, circus, or menageries shall give a free exhibition or performance that might in any way indicate to the public what exhibitions or performances or exhibitors or performers might be seen in any amusement in any way connected with any such fair, carnival, circus or menageries.

**SECTION 5.** That this Act shall have no effect unless the same shall have been approved by two-thirds vote of the Quarterly County Court of any county to which it may apply on or before the next regular meeting of such Quarterly County Court occurring more than thirty days after its approval by the Chief Executive of this State. Its approval or non-approval shall be proclaimed by the presiding officer of the body having jurisdiction to approve or the reverse, and shall be certified by him to the Secretary of State.

**SECTION 6.** That all laws and amendatory laws thereto in conflict with this Act be and the same are hereby repealed, that this Act take effect from and after its passage, the public welfare requiring it.

Passed: February 26, 1957.

## Port Authority

### Private Acts of 1967-68 Chapter 415

**SECTION 1.** That in order to facilitate transportation in the County of Montgomery, in the state of Tennessee, and to promote navigation on the Cumberland River and Barkley Lake, which join and traverse portions of said County; to facilitate the movement and transfer of people, goods and merchandise to, from and through the said County, to aid in the utilization of the natural resources and recreation and water sports facilities and activities therein, and for the development of commerce and industry in said County, there is hereby established in Montgomery County, Tennessee, a Port Authority to be known as "The Montgomery County Port Authority", "The Port Authority", "The Port Authority Commissioners", for the purposes of (a) acquiring, constructing, operating and maintaining ports and navigation terminals on the Cumberland River and its tributaries and Barkley Lake, including docks, wharves, piers, loading and unloading machinery, scales, transportation equipment, harbor and river front improvements, storage and transfer facilities, elevators, and all other advisable appurtenant port and terminal facilities; (b) acquiring, holding, improving, and disposing of lands in the vicinity of such ports and disposing of lands in the vicinity of such ports and terminals which are suitable for the various purposes herein set forth and for use by manufacturing, processing, or fabricating plants or other industries which require access to the waters of the Barkley Lake in their operation; and (c) acquiring, constructing, operating, and maintaining railroad, switchyards, concentration yards, recreation and water sports facilities, roads and bridges, and communication, electric power, gas, water, and all other utility facilities, including the aforesaid industrial sites, and to provide that the same shall be under the jurisdiction, control, and management of the Port Authority as hereinafter provided, except those regulated by the Tennessee Public Service Commission.

**SECTION 2.** That the development, maintenance, and operation of such facilities are hereby declared to be essentially public and governmental functions. The powers herein granted, in connection therewith, are declared to be public and corporate purposes and matters of public necessity.

**SECTION 3.** That the Port Authority shall consist of the Port Authority Commissioners, who shall be five in number, and such subordinate officers and employees may be selected by said Port Authority Commissioners, as hereinafter provided.

**SECTION 4.** That the said Port Authority Commissioners shall have power, and they are hereby authorized:

- (a) To acquire, construct, purchase, operate, maintain, replace, repair, rebuild, extend, and improve, within the boundaries of Montgomery County, Tennessee (except not within the present corporate limits of any other municipality now within said area, without first obtaining express permission and authority from the governing body of such other municipality), the ports and other facilities described in Section 1 hereof, and any and all related facilities, equipment, and appurtenances necessary or convenient to the improvement of the access to all channels of

commerce, and to make such facilities available to any firm, person, public or private corporation, to any other shipper, consignee, or carrier, and to charge for their use and for any and all services performed by the Authority.

(b) To accept donations to the Authority of cash, lands or other property to be used in the furtherance of the purposes of this Act.

(c) To accept grants, loans, or other financial assistance from any federal, state, county, or municipal agency, or in aid of the acquisition or improvement of any of the facilities herein provided for.

(d) To purchase, rent, lease, or otherwise acquire any and all kinds of property, real, personal or mixed, tangible or intangible, and whether or not subject to mortgages, liens, charges, or other encumbrances, for the said County, which, in the judgment of the Port Authority Commissioners, is necessary or convenient to carry out the powers herein granted. The Authority herein to acquire property shall include, but not be limited to, the acquisition of lands in the vicinity of the port and terminal facilities provided for herein, which is suitable for use by industries requiring access to the water of Cumberland River and Barkley Lake in their operations.

(e) To make contracts and execute instruments containing such covenants, terms, and conditions, as, in the judgment of said Commissioners, may be necessary, proper or advisable for the purpose of obtaining grants, loans, or other financial assistance from any federal or state agency, for or in the aid of the acquisition or improvement of the facilities herein provided for; to make all other contracts and execute all other instruments including, without limitation, licenses, long or short term leases, mortgages and deeds of trust and other agreements relating to property and facilities under its jurisdiction, and the construction, operation, maintenance, repair, and improvement thereof, as in the judgment of said Board of Commissioners may be necessary, proper, or advisable for the furtherance of the purpose of this Act, and the full exercise of the powers herein granted; and to carry out and perform the covenants, terms, and conditions of all such contracts or instruments.

(f) To establish schedules of tolls, fees, rates, charges, and rentals for the use of the facilities under its jurisdiction, and for services which it may render.

(g) To enter upon any lands, waters, and premises for the purpose of making surveys, soundings, and examination in connection with the acquisition, improvement, operation, or maintenance of any of the facilities herein provided for.

(h) To promulgate and enforce such rules and regulations as the said Board of Commissioners may deem proper for the orderly administration of the Port Authority and the efficient operation of its facilities.

(i) To do all acts and things necessary, or deemed necessary or convenient to carry out the powers expressly given in this Act.

**SECTION 5.** That except as otherwise expressly provided in this Act, the Port Authority Commissioners shall have full and exclusive control of and responsibility for the administration of facilities constructed or acquired pursuant to this Act; provided, however, that said Authority may lease or license lands or facilities under its jurisdiction, for operation by private persons or corporations, as provided in Section 4(e) of this Act.

**SECTION 6.** That the Port Authority is hereby authorized and empowered to condemn on behalf of and in the name of the County of Montgomery in the State of Tennessee, any land, easements, or rights of way in said County that, in the opinion of the Board of Commissioners and the County Court of Montgomery County, are necessary or convenient to carry out the purposes of this Act. Title to property so condemned shall be taken by and in the name of the county containing said property, and the property shall thereafter be entrusted to said Authority, as the agent of the county, to accomplish the purposes of this Act. Such condemnation proceedings shall be pursuant to and in accordance with Section 23-1401 through 23-1525, inclusive, of the Tennessee Code Annotated, or as the same may be hereafter amended, or other eminent domain laws of the State of Tennessee that may be hereafter enacted; provided, however, that where title to any property sought to be condemned is defective, it shall be passed by the judgment or decree of the decree of the Court; provided, further, that where condemnation proceedings become necessary, the Court in which any such proceedings are filed shall, upon application by the Port Authority on behalf of the county taking such property, and upon posting of a bond with the Clerk of the Court in such amount as the Court may deem commensurate with the value of the property, order that a writ of possession shall issue immediately, or as soon and upon such terms as the Court, in its discretion, may deem proper and just.

**SECTION 7.** That bonds issued pursuant to this Act, and income therefrom, shall be exempt from all

state, county, and municipal taxation, except inheritance, transfer, and estate taxes. So long as title to land or rights therein acquired, or facilities constructed or acquired pursuant to this Act, remains in the County of Montgomery, Tennessee, such property, and income therefrom, shall be exempted from all state, county, and municipal taxation, provided, however, that such exemption shall not extend to the leasehold or other interest in such property which may be held by any private person or private corporation.

**SECTION 8.** That Montgomery County, The Port Authority, and the Board of Commissioners shall not be required to obtain any certificate of convenience or necessity, franchise, license, permit, or other authorization from any bureau, board, commission, or other like instrumentality of the State of Tennessee, or any political subdivision thereof, in order to acquire, construct, purchase, operate, or maintain any of the facilities authorized by this Act.

**SECTION 9.** That the Board of Commissioners of The Port Authority shall consist of five members. All the initial members of the Board of Commissioners of The Port Authority shall be appointed by the County Judge and approved by a majority vote of the members of the County Court of Montgomery County on the second Monday of July, 1968, or as soon as practicable, and their respective terms of office shall be as follows: The term of office of the first member elected shall expire the second Monday of July, 1969; the term of office of the second member elected shall expire the second Monday of July, 1970, the term of office of the third member elected shall expire the second Monday of July, 1971; the term of office of the fourth member elected shall expire the second Monday of July, 1972; the term of office of the fifth member elected shall expire the second Monday of July, 1973.

The successors in office, for each of the respective five initial members of the Board of Commissioners of The Port Authority whose full terms of office have expired, shall be appointed by the County Judge with the approval of the County Court of Montgomery County, Tennessee, for regular terms of office of five years each thereafter, whose respective terms of office shall expire on the second Monday of July of the respective years applicable. In the event of failure to elect a successor to any member of said Board, the member and Commissioner whose term has expired shall continue to serve until his successor has been duly elected as herein provided. After serving a full five year term no Commissioner can be elected to succeed himself. In the event of the death or resignation of a member and Commissioner, or his inability to serve, prior to the expiration of his term, his successor shall be elected for the unexpired term by the County Court of Montgomery County.

Any person at least twenty-one years of age who has resided within the boundaries of the county whose court may elect him, for a period of at least one year immediately preceding his election, shall be eligible to serve as a member of the Board of Commissioners of The Port Authority, except the members of the County Court of Montgomery County shall not be eligible to serve as a member of said Board of Commissioners. Any Commissioner who ceases to regularly reside within the boundaries of the county electing him shall automatically become ineligible to serve in said office. All Commissioners shall be eligible for re-election, provided they are qualified as herein required.

Before entering upon their duties, all Commissioners shall take and subscribe to an oath of office, as provided by the constitution and law for county officers, copies of the said oath of each Commissioner shall be filed with the Clerk of the County Court of Montgomery County.

A majority of the Commissioners shall constitute a quorum and the Commissioners shall act by a vote of a majority present at any meeting attended by a quorum, and vacancies among the Commissioners shall not affect their power and authority, so long as a quorum remains. Within thirty (30) days after their election as herein provided, the Commissioners shall hold a meeting to elect a Chairman. The Commissioners shall hold regular meetings at least once every four months, and at such regular time and place as the Commissioners may, by resolution, determine, and may hold such additional meetings, either regular or special as may be determined by the Board of Commissioners.

Special meetings may be called and held upon such notice and in such manner as the Board of Commissioners may, by resolution, determine. Save as otherwise expressly provided, the Board of Commissioners shall establish their own rules of procedure.

The Commissioners shall designate a Secretary and a Treasurer, or the same individual as Secretary and Treasurer, and such Secretary and/or Treasurer may or may not be a Commissioner of Commissioners. The Secretary shall attend all regular and special meetings and keep minutes thereof. The minutes of said meetings shall be available for inspection by the public at the office of the Authority, at all reasonable times.

The Board of Commissioners, by resolution, shall require the Treasurer or Secretary- Treasurer, if he is one and the same person, to execute a bond with approved corporate surety, for the faithful performance of his duties and the accounting of all monies and revenues that may come into his hands, as such, in

such penalty as the Board shall specify, by resolution. Said bond shall be filed with the Secretary of the State of Tennessee.

The Board of Commissioners, by resolution, may require all other subordinate officers, or employees, to execute such fidelity bonds for the faithful performance of their duties and the accounting of funds that may come to their hands, in such an amount, with such conditions and such sureties, as the Board of Commissioners may determine.

All members of the Board of Commissioners shall serve as such without compensation, but they shall be allowed necessary traveling and other expenses while engaged in the business of the Authority, as may be provided and approved by the Board, payable from the funds of the Authority, or such funds as may be appropriated by the County Court of Montgomery County.

**SECTION 10.** That, except as otherwise herein provided, the Port Authority Commissioners shall be removable only for good cause, and after preferment of charges, as provided by law for county officers.

**SECTION 11.** That the Port Authority Commissioners shall be authorized to employ and fix the compensation of such architects, attorneys, engineers, superintendents, consultants, professional advisors and other subordinate officers and employees, as may be necessary for the efficient management and operation of the Port Authority, and the operation of the facilities provided for in this Act, and who shall continue in the employment of the Authority, at the will and pleasure of the Board of Commissioners.

**SECTION 12.** That the County of Montgomery in the State of Tennessee, shall have power and authority to issue and sell its bonds to finance the acquisition, construction, improvement and/or expansion of the facilities herein authorized, and to refund bonds previously issued, or refinance indebtedness previously incurred for such purposes. The County of Montgomery, may in all respects, provide for the rights of the holders of all bonds, including the manner in which future bonds may be issued on a parity with such bonds.

The bonds may be issued in one or more series, may bear such date or dates, may mature at such time or times, not exceeding forty (40) years from their respective dates, may be in such denomination or denominations, may be in such form either coupon or registered, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment, at such place or places, may be sold or hypothecated in such blocks, may be subject to such terms of redemption with or without premium, may be declared or become due after the maturity date thereof, and may be in such amount as may be provided by resolution of the County Court of said County. Such bonds may be issued for money or property, at public or private sale, for such price or prices and at such rate or rates or interest, and may be hypothecated in such manner as said County Court may determine, but the interest cost to maturity of the bonds, when issued for property (at the value determined by said County Court, which determination shall be conclusive), or the money received for any issue of said bonds, shall not exceed the maximum rate fixed by law, payable semi-annually. Such bonds shall have all the qualities and incidents of negotiability.

Pending the preparation of the definitive bonds, interim receipts or certificates in such form, and with such provisions, as the said County Court may determine, in the resolution authorizing said bonds, may be issued to the purchaser or purchasers of bonds sold pursuant to this Act. Said bonds and interim receipts or certificates shall be fully negotiable.

In case of the officers whose signatures or countersignatures appear on such bonds shall cease to be such officers before the delivery of the bonds, such signatures and countersignatures shall nevertheless be valid and sufficient for all purposes, the same as though such officers had remained in office until the bonds had been delivered. Such bonds may be issued, notwithstanding and without regard to any limit or restriction on the amount or percentage of indebtedness, or of outstanding obligations of the County of Montgomery, contained in any other statute, general or special, and notwithstanding and without regard to the requirements of any other general or special statute, including requirements as to elections for the approval of such bonds.

In the case of bonds payable solely out of the revenues of the Port Authority, it shall be the duty of the County Court of Montgomery County, to provide, by resolution, for the issuance of such bonds, as requested by the Port Authority Commissioners.

Prior to a vote by the County Court of Montgomery County authorizing the issuance of bonds to be finances wholly or in part through tax levies by the said County Court, the Port Authority Commissioners shall prepare and submit to the County Court of said County of Montgomery a recommendation that bonds in a stated amount be issued hereunder, and the equal pro rate amount to be issued by said county, supported by a report on the need for, and projected use of the facilities for the financing of which such bond issue is proposed, including a review of alternate solutions, if any, and a justification of the solution proposed.



Bonds may be issued as direct and general obligations of Montgomery County, Tennessee, payable out of their several and separate general income and revenue, or at the election and subject to the determination of the Port Authority Commissioners, may be made payable only out of the revenues from the facilities of the Port Authority. In case the bonds are issued as general obligations of the said County, it shall be the duty of the County Court of said County to levy a tax each year, over and above the taxes levied for general county purposes and other special county purposes, to pay the interest and principal of said bonds, as they mature; provided, however, that in case the revenues derived from the operation of the facilities herein provided for, are sufficient to pay the interest and principal of said bonds, or a part thereof, as they may severally mature, then a special levy for the full payment of said interest and principal shall not be required, but said County Court shall each year levy an amount of tax, which, when added to the amount of revenue derived from the operation of said facilities, then on hand and available for that purpose, will be sufficient to pay the interest and principal maturing prior to the collection of the next succeeding tax levy. Said bonds shall be sold at public or private sale, and in such manner as may be determined by resolution of the said County Court authorizing their issuance. Said bonds shall contain a recital that they are issued pursuant to and in accordance with this Act, and such recital shall be conclusive evidence of their legality.

**SECTION 13.** That in order to secure the payment of any of the bonds issued pursuant to this Act, the interest thereon, or in connection with such bonds, the County Court of Montgomery County shall have power, as to such bonds, to the extent not inconsistent with the mandatory provisions of this Act.

- (a) To pledge the full faith and credit and unlimited taxing power of the said County to the punctual payment of the principal of and interest on such bonds.
- (b) To pledge all or any part of the revenue derived from the operation of the facilities herein authorized, and to pledge all or any part of the proceeds derived from the sale, transfer, lease or other disposition of any land or other facilities as provided for in this Act.
- (c) To provide for the terms, form, registration, exchange, execution and authentication of such bonds.
- (d) To provide for the replacement of lost, destroyed or mutilated bonds.
- (e) To covenant as to the use and disposition of the proceeds from the sale of such bonds.
- (f) To covenant as to the rates and charges for the use of facilities of the Port Authority, and for its services.
- (g) To redeem such bonds, and to covenant for their redemption and to provide the terms and conditions thereof.
- (h) To covenant and prescribe as to what happenings or occurrences shall constitute "events of default", and the terms and conditions upon which any or all of such bonds shall become or any be declared due, before maturity, and as to the terms and conditions upon which such declaration and its consequences may be waived.
- (i) To covenant as to the rights, liabilities, powers and duties arising upon the breach of it by any covenant, condition or obligation.
- (j) To vest in a Trustee or Trustees, the right to receive all or any part of the income and revenues pledged and assigned to or for the benefit of the holder or holders of bonds issued hereunder, and to hold, apply and dispose of the same, and the right to enforce any covenant made to secure or pay, or in relation to the bonds; and to execute and deliver a trust agreement or trust agreements, which may set forth the powers and duties, and the remedies available, to such Trustee or Trustees, and limiting the liability thereof, and describing what occurrences shall constitute "events of default" and prescribing the terms and conditions upon which such Trustee or Trustees, or the holder or holders of bonds of any specified amount or percentage of bonds, may exercise such rights and enforce any and all such covenants and resort to such remedies as may be appropriate.
- (k) To make covenants other than and in addition to the covenants herein authorized, of like or different character, necessary or advisable to effectuate the purposes of this Act.
- (l) To execute all instruments necessary or convenient in the exercise of the powers herein granted, or in the performance of its covenants or duties.

**SECTION 14.** That any holder or holders of bonds, including Trustee or Trustees for holders of such bonds, shall have the right, in addition to all other rights:

- (a) By mandamus or other suit, action or proceeding in any court of competent jurisdiction, to enforce his or their rights against the County Court of Montgomery County, authorizing and issuing said bonds, the Port Authority, the Port Authority Commissioners, or any other proper officer,

agent, or employee of any of them, including, but without limitation, the right to require the County Court of Montgomery County, authorizing and issuing said bonds, the Port Authority, the Port Authority Commissioners, and any proper officer, agent or employee of any of the, to assess, levy and collect taxes, and to fix and collect rates and charges adequate to carry out any agreement as to, or pledge of taxes or Authority revenues, and to require the County Court of Montgomery County authorizing and issuing said bonds, the Port Authority, the Port authority Commissioners, and any officer, agent or employee of them, to carry out any other covenants and agreements, and to perform its and their duties under this Act.

(b) By action or suit in equity to enjoin any acts or things, which may be unlawful or in violation of the rights of such holders of bonds.

**SECTION 15.** That the County Court of Montgomery County, Tennessee, shall have power, by resolution, to confer upon any holder or holders of a specified amount or percentage of bonds, including a Trustee or Trustees, for such holders, the rights, in the event of an "event of default", as defined in such resolution or as may be defined in any agreement with the holder or holders of such bonds, or Trustee or Trustees thereof:

(a) By suit, action or proceedings in any Court of competent jurisdiction, to obtain the appointment of a receiver of the Authority's facilities, or any part or parts thereof. If such receiver be appointed, he may enter and take possession of such facilities or part or parts thereof, and operate and maintain the same, and collect and receive all revenues thereafter arising therefrom, in the same manner as the Authority itself might do, and shall deposit such monies in a separate account or accounts, and apply the same in accordance with the obligations of the bonds issued under this Act, as the Court may direct.

(b) By suit, action or proceedings in any Court of competent jurisdiction, to acquire the County Court of Montgomery County authorizing and issuing said bonds, or the Port Authority Commissioners, to act as if they were the Trustees of any express trust.

Any such resolution shall constitute a contract between the County and the holders of bonds of such issue.

**SECTION 16.** That expenses actually incurred by the Port Authority Commissioners in the making of surveys, estimates of cost and of revenue, employment of engineers, attorneys, or other employees, the giving of notes, taking of options, selling of bonds, and all other preliminary expenses of whatever nature, which said Commissioners deem necessary in connection with or precedent to the acquisition or improvement of any of the facilities herein provided for, and which they deem necessary to be paid prior to the issuance and delivery of the bonds issued pursuant to the provisions of this Act, may be met and paid out of the general funds of the County of Montgomery, not otherwise appropriated, or from any other fund available, as may be provided by the County Court of said County.

All such payments from the general or other funds shall be considered as temporary, noninterest bearing loans, and shall be repaid immediately upon sale and delivery of the bonds, and claim for such repayment shall have priority over all other claims against the proceeds derived from the sale of such bonds.

**SECTION 17.** That the County Court of Montgomery County is authorized to appropriate to the Port Authority from its general funds, or such other funds as may be unappropriated, to pay the expenses of the Port Authority Board of Commissioners, or expenses or operation of any of the facilities authorized by this Act, and said County Court is authorized and empowered to levy a tax, in addition to all other taxes, upon all taxable property within said County, sufficient to pay the appropriation made by it to the Port Authority.

**SECTION 18.** That all monies derived from the issuance of bonds hereunder, together with any federal or other grant or loan made, for the purposes of this Act, shall be paid to the Treasurer of the Port Authority. The Treasurer shall deposit such monies, together with all the receipts from the Authority operations, in a separate bank account or accounts, separate from all other county funds, and shall keep adequate records of all such receipts and other sources. The Treasurer shall pay out such monies only on vouchers signed by such Authority officials as the Port Authority Commissioners shall, by resolution, designate to sign such vouchers. No such vouchers for the payment of any such monies shall be issued except upon the resolution or order of the said Commissioners, a certified copy of which shall be filed in the office of the Treasurer.

**SECTION 19.** That the revenue derived from the operation of the port, storage and transfer facilities, and any and all other facilities herein authorized, and the proceeds derived from the sale, transfer, lease or other disposition of any land or other facilities shall be applied and used as follows:

(1) The payment of all operating expenses of the Port Authority, except that the proceeds derived from the sale, transfer, lease or other disposition of any land or other facilities shall not be used for

his purpose.

(2) The payment of the interest on the bonds issued pursuant to the provisions of this Act, and the principal of said bonds, as they severally mature, and/or payments into sinking fund reserves for this purpose.

(3) The establishment of necessary reserves for contingencies, depreciation, maintenance, replacement of said port, storage, transfer facilities and any and all other facilities, or other purposes, as may be required under any bond indenture or as the Port Authority Commissioners may deem necessary or desirable.

(4) Any revenue or proceeds remaining after all the above items have been provided for shall be held and used for the further development of and for additions to the Authority facilities, and for the acquisition or construction of new facilities, which may become necessary or desirable to further the purpose of this Act. None of such revenue shall go into the general funds of the said County, except as may be directed by the Port Authority Commissioners.

**SECTION 20.** That, except as otherwise herein expressly provided, all contracts of the Port Authority shall be entered into and executed in such manner as may be prescribed by the Board of Commissioners, but no contract or acquisition by purchase, of equipment, apparatus, materials or supplies, involving more than Five Hundred Dollars (\$500.00) or for construction, installation, repair or improvement of the property or facilities, under the jurisdiction of the Board of Commissioners, involving more than One Thousand Dollars (\$1,000) shall be made except after said contract has been advertised for bids, provided that advertisement shall not be required when:

(1) An emergency arises and required immediate delivery of the supplies or performance or the service; or

(2) Repair part, accessories, supplemental equipment or services or required supplies, or services previously furnished or contracted for, in which case such purchase of supplies or procurement of services shall be made in the open market in the manner common among businessmen.

Provided, further, that in comparing bids and in making awards, the Commissioners may consider such features as quality and adaptability of supplies or services, the bidders' financial responsibility, skill, experience, record of integrity in dealing, ability to furnish repairs and maintenance service, the time of delivery, or performance offered, and whether the bidder has complied with the specifications.

Provided, further, that in the employment of architects, engineers and attorneys, or other professional advisers for personal service, no advertisement of bids shall be required, but the Board of Commissioners may employ or select such architects, engineers, attorneys or professional consultants and advisors, as in the judgment of the Commissioners best meet the qualifications for rendering such services.

Provided, further, that after advertisement for bids, as provided in this Section, if no acceptable bid is received, the Port Authority Commissioners may reject any and all bids, or the Board of Commissioners may negotiate with contractors or suppliers, to secure the construction of facilities, or the purchase of equipment, apparatus, materials or supplies at the best possible price, or the Board of Commissioners may construct such facilities, by "Force Account Construction", that is, the Board of Commissioners may employ the necessary engineers, supervisors and other personnel, purchase necessary materials, equipment and supplies, to construct such facilities authorized by this Act with its own employees.

**SECTION 21.** That the Port Authority may use any property, right of way, easement or other similar property right necessary or convenient in connection with the acquisition, improvement, operation or maintenance of the facilities herein authorized, held by the State of Tennessee or any county or municipality in the State of Tennessee, provided such governmental agency shall consent to such use.

**SECTION 22.** That the Port Authority Commissioners may sell, transfer, lease, or otherwise dispose of any or all of the personal property in the custody and control of the Port Authority. The Commissioners may also as the agent of the County of Montgomery sell, transfer, lease or otherwise dispose of any real property in the custody and control of the Port Authority, except that any land that has been acquired through condemnation proceeding may be sold, transferred, leased or otherwise disposed of only with the approval of the County Court of Montgomery County, and any vote as to such approval shall be taken at a meeting duly and regularly called for the purpose of considering the question of the disposition of such property.

**SECTION 23.** That the powers, authority and rights conferred by this Act shall be in addition and supplemental to, and the limitations imposed by this Act shall not affect the powers conferred by any other general, special or local law.

**SECTION 24.** That if any clause, sentence, paragraph, section or any part of this Act shall be held or declared to be unconstitutional or void, it shall not affect the remaining part or parts of this Act, it being

hereby declared to be the legislative intent to have passed the remainder of this Act, notwithstanding the part held to be invalid, if any.

**SECTION 25.** That this Act is remedial in nature, and shall be liberally construed to effect its purposes of promoting navigation on Cumberland River and Barkley Lake, facilitating the movement and transfer of goods and merchandise to, from and through the County of Montgomery, encouraging utilization of the natural and recreational resources therein, and promoting the growth and development of commerce and industry in said County.

**SECTION 26.** That this Act shall have no effect unless the same shall have been approved by a majority vote of the County Court of Montgomery County, Tennessee. Its approval or non-approval shall be proclaimed and countersigned by the Clerk of the County Court of Montgomery County, and shall be duly certified by him to the Secretary of the State of Tennessee.

**SECTION 27.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 19, 1968.

## Administration - Historical Notes

### **Budget System**

The following act once created a budgeting system for Montgomery County, but it has been specifically repealed or superseded by current law.

1. Private Acts of 1915, Chapter 167, provided that the County Judge and the Revenue Commissioners of Montgomery County must, each year, prepare a budget which set forth the purpose and estimated amount of expected yearly expenditures. The budget was to be filed with the Quarterly Court and upon review the Court would accept or amend the recommendation of a tax rate.

### **County Clerk**

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

1. Private Acts of 1919, Chapter 274, declared that females, married or unmarried, over the age of twenty-one years, and resident in Montgomery County, were eligible for appointment as deputy County Court Clerk.
2. Private Acts of 1931 (2nd Ex. Sess.), Chapter 3, authorized the County Court Clerk to appoint a Deputy County Clerk who would be empowered to do and perform all acts of the clerk and receive a salary of \$1,500 annually to be paid from the excess fees of the clerk's office. In the event the fees were insufficient to pay the Deputy's salary, the deficit would be paid from County funds.
3. Private Acts of 1933, Chapter 598, fixed the salary of the County Court Clerk of Montgomery County at an amount not to exceed \$3,600 annually if the fees of the office equaled or exceeded that amount. In the event the office did not receive fees equal to or in excess of that amount, then the clerk would receive as compensation the fees the office did receive. The clerk was required to keep accurate records and report to the Quarterly County Court.
4. Private Acts of 1935, Chapter 812, fixed the salary of the Clerk of County Court at \$3,000 annually.

### **County Legislative Body**

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

1. Acts of 1803, Chapter 39, regulated the times for holding the Courts of Pleas and Quarter Sessions in the counties making up the Mero District which were the Counties of Jackson, Smith, Wilson, Rutherford, Williamson, Davidson, Robertson, Montgomery, Stewart, Dickson, and Sumner. The court would meet in Montgomery County on the first Monday in March, June, September, and December.
2. Acts of 1804, Chapter 68, changed the time for County Court meetings in Montgomery County to the fourth Monday in March, June, September and December instead of the first Monday in those months.
3. Acts of 1806 (Ex. Sess.), Chapter 48, rescheduled the court terms for the County Court of the counties in the Mero District. Montgomery County's Court would meet on the second Monday in January, April, July, and October. The court would remain open for six judicial days.

4. Acts of 1807, Chapter 60, required the county court of every county on the second day of each term to determine on what day of the succeeding term the court would transact the county's business, and to direct the clerk of the court to post a notice of the opening date on the courthouse door as well as the day on which the state docket would be called.
5. Acts of 1809, Chapter 93, fixed the schedule of the opening dates for the terms of the Courts of Pleas and Quarter Sessions in most of the state's counties. Montgomery County's Court would continue to meet on the third Monday in January, April, July, and October.
6. Acts of 1817, Chapter 138, changed the opening dates for the terms of the County Court in Montgomery County to the third Monday in January, April, July, and October.
7. Private Acts of 1819, Chapter 154, permitted the County Court to hold its sessions for terms of two weeks.
8. Private of 1823, Chapter 197, was the authority for the Justices of the Peace in the Court of Pleas and Quarter Sessions in Montgomery County, on the first day of the first term of the year, to select three of its number to hold the Court for the rest of the year under the same rules as if all Justices were meeting.
9. Public Acts of 1827, Chapter 91, provided for the relief of those who had had judgments entered in their favor in the minute books of the County Court of Montgomery County, which books were accidentally burned. They could obtain a writ upon giving sworn testimony of details and obtain judgment for any unpaid amounts of the original judgment.
10. Public of 1835-36, Chapter 6, provided for a court in every county made up of Justices of the Peace to meet once each month and hold open until the business of the court was finished. Three of the Justices constituted a court to hear the probate of wills and related matters but no jury trials were allowed. The County Court had the further responsibility of selecting jurors for the courts and was granted the power to levy taxes in order to pay them, if necessary.
11. Public Acts of 1867-68, Chapter 65, created the Board of Commissioners for Montgomery County which would have three elected members. The Board would have all the powers and duties then vested in the Quarterly Court and the Magistrates then in office were relieved of all duties incident to their offices as members of the Quarterly Court. The Board would hold four sessions annually. The County Court Clerk would be Recorder for the Board.
12. Public Acts of 1869-70, Chapter 49, repealed Public Acts of 1867-68, Chapter 65, above, and thereby abolished all Boards of Commissioners and the act specifically revised all laws that had been repealed by the act of 1867-68, above.
13. Acts of 1909, Chapter 579, provided that the Judge of the Criminal Court and of the County Court would receive the same salary as the Circuit Judges and Chancellors, the County and the State each to pay one-half.
14. Private Acts of 1951, Chapter 283, set the compensation for Justices of the Peace of Montgomery County at \$5 per day, plus the mileage authorized by law, for their attendance at the County Quarterly Court. 15. Private Acts of 1955, Chapter 276, fixed the per diem at \$15 for Justices in attendance at the Quarterly County Court plus the mileage allowance as allowed by law.\

### **County Mayor**

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

1. Acts of 1855-56, Chapter 253, created the office of County Judge in every county in the state to be filled by popular election for four year terms. The County Judge was to be learned in the law and sworn and commissioned as were other Judges. Quorum Courts were abolished and all the duties of that Court were assigned to the County Judge who would preside over the sessions of the Quarterly Court. The jurisdiction of the County Court was specifically outlined in the Act. The County Judge would be the accounting officer and general agent of the County, discharging the duties enumerated in this law.
2. Public Acts of 1857-58, Chapter 5, repealed Acts of 1855-56, Chapter 253, in its entirety, and restored all Quorum Courts to their former status.
3. Public Acts of 1857-58, Chapter 38, created the office of County Judge, to be filled by popular election for eight year terms. The first election was to take place on the first Saturday in March, 1858, under the same rules and laws as other elections were conducted. The Judge was to be learned in the law, sworn, and commissioned as other Judges and Chancellors. The Judge would preside over the Quarterly Court as the Chairman, and the Quarterly Court would perform the

duties of the Quorum Court, which was abolished. The Judge was also the accounting officer and general agent of the county being required to perform the duties specified for each.

4. Public Acts of 1873, Chapter 53, provided that the Judge of the County Court in Montgomery County, who also held the Criminal Court in Montgomery County and the Circuit Court in Houston County, would receive his \$1,800 annual salary out of the State treasury in the same manner as any other Judge.
5. Private Acts of 1973, Chapter 112, as amended by Private Acts of 1974, Chapter 340; Private Acts of 1981, Chapter 106 and Private Acts of 1982, Chapter 190, created the office of county judge to be elected by the qualified voters of Montgomery County for an eight (8) year term.

### **County Register**

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

1. Public Acts of 1897, Chapter 124, established the salaries of several county officials statewide by population groups. The salary of the Register of Montgomery County would be \$1,000 annually. The act was declared unconstitutional in Weaver v. Davidson County 104 Tenn. 315, 59 SW 1105 (1900).
2. Private Acts of 1919, Chapter 274, declared that females, married or single, over the age of twenty-one years, and resident in Montgomery County, were eligible for appointment as deputy in the offices of Register of Deeds, Trustee, and Clerk and Master of Montgomery County.
3. Private Acts of 1935, Chapter 812, set the salary of the Montgomery County Register of Deeds at \$3,000. All fees, costs, and commissions collected by the office of Register would be turned in to the public County treasury, and in the event they amounted to less than \$3,000, then the lesser amount would be the compensation of the Register.
4. Private Acts of 1953, Chapter 77, prohibited the Register of Montgomery County from recording any conveyance of real property, except mortgages and deeds of trust, without a stamp or notation showing that the conveyance documents had been presented to the Tax Assessor.

### **County Trustee**

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

1. Public Acts of 1897, Chapter 124, established the salaries of several county officials statewide by population group. The salary of the Trustee of Montgomery County would be \$1,800 per year.
2. Private Acts of 1919, Chapter 274, declared that females, married or single, over the age of twenty-one years, and resident in Montgomery County, were eligible for appointment as deputy in the offices of Register of Deeds, Trustee, and Clerk and Master of Montgomery County.
3. Private Acts of 1931, Chapter 213, authorized the Trustee of Montgomery County to release and cancel \$200,000 of the assessment for State and County taxes against the personal property of the Dunlop Milling Company, the same being to that extent excessive and erroneous.
4. Private Acts of 1931, Chapter 568, provided that the Trustee of Montgomery County would give one bond to the State for its benefit and another bond to the County for the County's benefit, the bonds to be in an amount equal to twenty-five percent of the taxes collected for the State and County by the Trustee during the preceding year.
5. Private Acts of 1933, Chapter 602, set the salary of the County Trustee at \$3,600 annually. All fees, costs, and commissions would be turned over to the County Treasury and if they amounted to less than \$3,600, then the Trustee's compensation would be equal to the said fees, costs, and commissions.
6. Private Acts of 1935, Chapter 812, fixed the salaries of several County officials in Montgomery County. The Trustee's salary was set at \$3,000 annually. All fees, costs, and commissions would be turned over to the County Treasury and if they amounted to less than \$3,000, then the Trustee's compensation would be equal to the said fees, costs, and commissions.

### **Port Authority**

The following summary is included for historical purposes.

1. Private Acts of 1967-68, Chapter 175, would have created the Port Authority for Montgomery County with substantially similar provisions as those contained in the Act published herein, Private Acts of 1967-68, Chapter 415, above. This Act was not acted on by the local authorities and consequently did not become a law.\

## **General Reference**

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

1. Acts of 1797, Chapter 15, authorized the citizens of Robertson and Montgomery Counties who had claims granted to them by Tennessee County prior to the division of that County into Robertson and Montgomery to use the claims to pay taxes in their respective Counties.
2. Acts of 1801, Chapter 5, provided that no pork, beef, hog's lard, butter, hemp, flour, or kiln dried meal, could be exported from the State unless it had been inspected in the manner set forth in the act and all the regulations promulgated therein complied with. Inspection places in Montgomery County were at Clarksville, Port Royal, and Palmyra.
3. Acts of 1806 (Ex. Sess.), Chapter 43, appointed five commissioners, namely, James Elder, Hugh Bell, John Shelby, Henry Small, and Charles Stewart, and authorized them to fix a site in the town of Clarksville for the purpose of erecting a courthouse and prison. The County Court of Montgomery County was directed to levy a tax to pay for the building.
4. Acts of 1809 (Sept. Sess.), Chapter 66, permitted Montgomery County to levy a tax for the purpose of paying the expense of erecting a courthouse at Clarksville. The tax would not be less than the state tax nor more than double the state tax imposed in any one year on taxable property.
5. Acts of 1811, Chapter 42, authorized the building of two warehouses in which to keep tobacco and food produce safely pending their inspection. One building would be on the north side of the river at Weakley's Ferry in Montgomery County and the other on the south side of the river near Weakley's Ferry in Dickson County.
6. Acts of 1815, Chapter 44, required the public inspection of tobacco, hemp, flour, lard, butter, and other marketable articles to be held in warehouses. One of the warehouses for the keeping of inspected goods was in Montgomery County was to be at Smith's Ferry on the north side of the Red River.
7. Public Acts of 1821, Chapter 20, provided that the affidavits authorized in a 1796 Act to supply the substance of records which were destroyed by a fire in the Chancery Court office for the Mero District could also be used to satisfy the requirements of recording deeds and other evidences of land titles in the county register's office.
8. Public Acts of 1831, Chapter 43, provided that the cashier of the Bank of the State of Tennessee would place to the credit of various counties their pro rata share of the \$60,000 set aside for internal improvements in Middle Tennessee. The money was to be lent for the use and benefit of the Counties until the next meeting at the General Assembly. The Counties were Montgomery, Dickson, Robertson, Sumner, Davidson, Stewart, Humphreys, Perry, Hickman, Williamson, Lawrence, Wayne, Hardin, and Wilson.
9. Private Acts of 1831, Chapter 86, granted the same relief to Wilson Sanderlin, Ezekiel Sanderlin, and John Ferguson of Montgomery County as others enjoyed who had entered lands ceded to Kentucky.
10. Private Acts of 1832, Chapter 58, authorized Joseph P. Thomas and James B. Reynolds to build a bridge over the Red River at or near the location of the existing bridge. Before building, the men were required to obtain the consent of the commissioners of the existing bridge. When completed, the bridge had to meet the specifications for carrying weight and had to be accepted by the County Court before tolls could be charged.
11. Private Acts of 1832, Chapter 97, appointed John H. Poston, James Ramsey, John Niblett, James B. Reynolds, and James Wheatley as a Board for Internal Improvements in Montgomery County. They would select a clerk and a treasurer and then could collect the money on deposit for the County in the Internal Improvement Fund. The money would be used to purchase stock in roads, bridges, and other projects which could be expected to return a reasonable profit or would be lent at interest not exceeding ten per cent.
12. Acts of 1853-54, Chapter 180, granted to Montgomery County and other counties the authority to subscribe to the stock of any railroad running through the respective counties and to issue bonds of the counties to pay for the stock.
13. Private Acts of 1867-68, Chapter 37, created the corporation of the "Clarksville Middle Bridge Company" to erect, use and maintain a bridge across the Red River, at or near the mouth of the West Fork of Red River. S. F. Beaumont, A. Kellogg, T. B. Matthat, J. Peterson, William N. Daniel,

- T. J. Mumford, and R. W. Humphreys were appointed as the Board of Commissioners to organize the company. The act set forth a schedule of tolls to be charged when completed.
14. Private Acts of 1868-69, Chapter 43, authorized the County Court of Montgomery County to appoint an additional Notary Public who would reside in New Providence.
  15. Private Acts of 1869-70, Chapter 119, relieved Michael Sullivan and Mark Parlan, both of Montgomery County, from the obligation to pay a forfeiture on a \$2,000 appearance bond, the same being payable to the State.
  16. Public Acts of 1875, Chapter 15, allowed the County Court of Montgomery County to appoint an additional Notary Public who would be able to speak and write French and German.
  17. Public Acts of 1879, Chapter 80, declared the Red River to be navigable from its mouth to Port Royal in Montgomery County and repealed all laws which declared the river to be unnavigable.
  18. Public Acts of 1893, Chapter 179, stated that if any surplus remained in the railroad fund of Montgomery County after the payment of principal and interest on the debt, the surplus may be applied to the extinguishment of any just claim against the County for which an appropriation had been made by the County Court.
  19. Public Acts of 1899, Chapter 113, authorized Montgomery County, through its County Court, to purchase any or all of the ferries operating on the Cumberland River within the boundaries of the County. The Court would have control and management of the ferries and operate them either as free or toll ferries. No more than \$8,000 was to be spent in the purchase and the Court could make whatever disposition of them it deemed proper.
  20. Private Acts of 1913 (1st Ex. Sess.), Chapter 76, provided the form and content of the corporate charter to be used by gas, electric light, and power companies choosing to operate under a single charter and under one management in Montgomery County. A major feature of the act was that no such combined operation company could do business in any municipality until it obtained the consent of that municipality.
  21. Private Acts of 1915, Chapter 184, authorized the establishment of Community Centers for social, educational and industrial advancement. A Community Center meeting certain criteria enumerated in the Act would be a combination school and meeting place with agricultural demonstration facilities. A managing board of five citizens would be chosen for one year terms who would also have charge of the highways in the community. Funds would be drawn from both education and road funding sources.
  22. Private Acts of 1915, Chapter 677, amended Public Acts of 1875, Chapter 116, to give landlords in Montgomery County an additional lien on growing crops for money which had been furnished to their tenants to enable the tenants to make the crop. The lien could be enforced in the same manner as other liens were enforced. This act was held to be unconstitutional in Wofford v. Hooper, 149 Tenn. 250, 259 S.W. 549 (1924).
  23. Private Acts of 1919, Chapter 274, provided that in Montgomery County females, married or single, over 21 years of age, and residents of the County, would be eligible for appointed as deputy to the Clerk and Master, Clerk of the Circuit Court, County Court Clerk, Register, and County Trustee, with all the powers, rights, obligations, and liabilities of other deputies to the said officers.
  24. Private Acts of 1921, Chapter 862, amended the Abutting Property Law, Public Acts of 1913, Chapter 18, as the same applied to Montgomery County, by making the paving of the intersections of the streets paved under the act the responsibility of the city or town, and not the obligation of the abutting property owners, or the railroad, if its tracks traversed the corner.
  25. Private Acts of 1933, Chapter 92, removed the disabilities of infancy from John Dunn Sadler, Jr., of Montgomery County and permitted him to do all things and perform all acts as though he was twenty-one years of age.
  26. Private Acts of 1933, Chapter 796, removed the disabilities of infancy from Elizabeth Louise McKeage, and permitted her to do all things and perform all acts as though she was twenty-one years of age.
  27. Private Acts of 1971, Chapter 30, authorized the County Court of Montgomery County to adopt by reference in a resolution the provisions of the housing, building, electrical, plumbing, and gas codes prepared by technical trade associations and model code organizations. The act did not receive approval of local authorities and did not become law.



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