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# Administration - Historical Notes

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# Administration - Historical Notes

## **County Clerk**

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

1. Private Acts of 1837-38, Chapter 294, provided that the county court clerk of Giles County be paid \$1.00 as a fee for recording the proceedings of a person applying to the county court to build a grist mill on any stream in the county. The court would appoint three commissioners to look at the site of the proposed mill to determine that it would not interfere with the navigation of the stream and, if not, the permit to build would be issued.

## **County Mayor**

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

1. Private Acts of 1856, Chapter 253, created an office of county executive in every county who would be elected by the people for four year terms and be a person learned in the law; who would hold court on the first Monday of every month. The court was organized and its jurisdictional powers enumerated. This Act was repealed by Acts of 1857-58, Chapter 5, and all the quorum courts restored.
2. Private Acts of 1857-58, Chapter 20, authorized and requested the Governor to appoint a suitable person to act as county executive of Giles County during the December term of the court, who would have all the rights, powers, privileges, and obligations as any other county executive.
3. Private Acts of 1867-68, Chapter 47, created the office of county executive for Lincoln, Hamilton, Franklin, Lawrence, and Giles Counties for a term of eight years and who was not required to be learned in the law. The Executive was also made the accounting officer and financial agent of the county under this Act which abolished the existing powers of the County Court and promulgated new ones. The administrative portions of the act with the exceptions mentioned are similar to preceding legislation in this regard.
4. Private Acts of 1909, Chapter 40, amended Acts of 1883, Chapter 77, Section 4, published herein, by making the salary of the County Executive payable monthly instead of quarterly as provided in that act.
5. Private Acts of 1909, Chapter 348, set the salary of the County Executive at \$100 per month to be paid out of the revenue of the county upon the executive's own warrant countersigned by the County Court Clerk, to be in full compensation for his services in that office.
6. Private Acts of 1917, Chapter 346, raises the executive's salary to \$1,800 yearly for his services as County Executive to be paid monthly out of the revenue of the county on the executive's own warrant countersigned by the County Court Clerk. This amount would be in full payment for all services rendered in connection with that office.
7. Private Acts of 1925, Chapter 390, elevates the county executive's compensation to \$2,000 annually under the same terms and conditions as those written in the 1917 Act above. This act contains a general repealer.
8. Private Acts of 1939, Chapter 256, permitted the County Executive to employ a secretary to assist him in his work at a salary to be fixed by him but not to exceed \$600 yearly, payable in equal monthly payments out of regular county funds. This position apparently was merged into the 1951 Act since no further legislation appears concerning it.
9. Private Acts of 1947, Chapter 847, repeals Acts of 1925, Chapter 390, and there fixes the salary of the County Executive at \$2,400 annually, to be paid in monthly installments as required in the previous acts.
10. Private Acts of 1951, Chapter 408, authorized and empowered county executives in counties having a population of not less than 29,230 nor more than 29,250 according to the Federal Census of 1940, to employ clerical help to assist him in performing the duties of his office at a salary not to exceed \$300 per month. This act was amended by Private Acts of 1957, Chapter 36, Private Acts of 1961, Chapter 65, and Private Acts of 1965, Chapter 44.
11. Private Acts of 1951, Chapter 409, fixed the compensation of the County Executive for his services as accounting officer and financial agent of Giles County at \$1,800 annually payable as before on his own warrant countersigned by the County Court Clerk. This Act was repealed

specifically by Private Acts of 1963, Chapter 89.

2. Private Acts of 1963, Chapter 89, repealed Private Acts of 1951, Chapter 409, which set salary of the County Executive for his services as accounting officer and financial agent at \$1,800 annually.

### **County Legislative Body**

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

1. Private Acts of 1809, Chapter 93, set the times for holding the court of Pleas and Quarter Sessions in Giles on the third Monday in February, May, August and November. This Act also gave the court authority to appoint 13 jurors for each court.
2. Private Acts of 1813, Chapter 134, among other things changed the times for meeting of the County Court to the first Mondays in March, June, September and December.
3. Private Acts of 1817, Chapter 138, also changed the meeting dates for the court of Pleas and Quarter Sessions in Giles County to the third Monday in February, May, August and November. This court could hold for two weeks, if necessary, to complete its business but other courts would hold for only one week.
4. Private Acts of 1821, Chapter 77, conferred the power of eminent domain, the right to condemn property for a public purpose, upon the Giles County Quarterly Court for obtaining land for cemeteries.
5. Private Acts of 1830, Chapter 102, authorized the County Court of Pleas and Quarter Sessions, if they should so desire, a majority of the justices being present and concurring, to elect three of their number at the January term to hold court for the remainder of the year.
6. Private Acts of 1857-58, Chapter 20, authorized and requested the Governor to appoint a suitable person to act as County Executive of Giles County during the December term of the court, who would have the same rights, powers, privileges, and obligations of any other County Executive.
7. Private Acts of 1923, Chapter 35, changed the times of holding the sessions of the county court of Giles County to the second Monday in January, April, July and October of each year.
8. Private Acts of 1955, Chapter 148, sets the per diem of the Quarterly County Court at \$10 per day without any additional allowance for mileage or travel expense.
9. Private Acts of 1964, Chapter 44, amend Private Acts of 1955, Chapter 148 by increasing the per diem of the Quarterly County Court to \$25 per day.

### **Purchasing**

The following acts once affected the purchasing procedures of Giles County, but are no longer operative. Also referenced below is an act which repealed prior law without providing new substantive provisions.

1. Private Acts of 1949, Chapter 89, created the office of purchasing agent for the county and named the County Executive to fill it. The Agent was given sole power and authority to purchase everything except standard office supplies used in each department and except in the school system, and, further, to lease or rent anything. If the amount was over \$500, certain requirements had to be made respecting advertising, specifications, bids, and acceptance of bids; all items less than \$500 could be purchased directly without bids. The salary was \$1,800 annually paid from county funds.
2. Private Acts of 1951, Chapter 127, repeals Private Acts of 1949, Chapter 89, above, which created the position of Purchasing Agent.

### **General Reference**

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

1. Private Acts of 1811, Chapter 44, authorized Maury and Giles County to appoint surveyors for the county who would first give bond and then begin plotting all the land in each county. The Quarterly County Court would appoint.
2. Private Acts of 1815, Chapter 26, permitted anyone to build a warehouse on Richland Creek when goods could be stored until inspected either at Pulaski or Elkton. The initiating procedure was a petition to the County Court for that purpose.
3. Private Acts of 1815, Chapter 44, authorized a warehouse for several locations where tobacco, hemp, flour, lard, butter, and other articles would be stored for inspection purposes. The one for

Giles County would be located on the Elk River at Elkton.

4. Private Acts of 1815, Chapter 173, appointed Tyre Rodes, Gabriel Bumpass, Nathaniel Moody, Samuel Jones, and Maximillian H. Buchanan as Commissioners to let contracts to build offices for the use of the Circuit Court Clerk and the County Court Clerk which would be located on the public square at Pulaski as they considered best.
5. Private Acts of 1815, Chapter 193, appointed Tyre Rodes, Ralph Graves, and John Hicks, Commissioners, to select a site and let a contract to build a bridge over the shoals of Richland Creek in Pulaski, to improve the navigation of it all the way to the Elk River and to ask for money from the fund derived from the sale of lots in Pulaski by the Commissioners laying out the city.
6. Private Acts of 1817, Chapter 18, added Hardy Hightower to the Commission in Pulaski, who were to finish the court house, beautify it, and the public square, with trees and other decorations by contract with other but all to be under the supervision of the Commission.
7. Private Acts of 1819, Chapter 70, authorized the County Court of Giles County to appoint a Commission of two fit and suitable people to settle accounts with the Commission formerly organized to lay out the town of Pulaski. In the event the old Commission refused to settle accounts, they would be subject to a fine of \$4,000 recoverable by petition filed for that purpose.
8. Private Acts of 1820 (Ex. Sess.), Chapter 63, directed the Sheriff to hold an election in Pulaski to choose seven aldermen and, further, repealed the act which ordered the surplus money from laying out the town to be paid to the County Trustee, and instead made the same payable to the Mayor and Aldermen of that city.
9. Private Acts of 1824 (Ex. Sess.), Chapter 80, was intended to correct an error in the issuance of a certificate of Notary Public to William Woods when it should have been issued to William W. Woods, and to ratify and confirm all acts performed by the said William Woods while the error was in effect.
10. Private Acts of 1831, Chapter 129, authorized the Giles County Court to appoint three discreet and impartial commissioners to examine that part of Richland Creek on which Elijah Anthony proposed to build a mill and, if they should report that the mill can be built without interfering with the navigation of the stream, to issue him a permit to proceed with the construction of it.
11. Private Acts of 1837-38, Chapter 294, permitted any person to build a grist mill in Giles County provided they posted a ten day notice of their intention to build at the courthouse so the court could appoint a Committee to view the site. If the location and construction did not hinder the flow of navigation on the stream, the mill could be built with the courts approval.
12. Private Acts of 1837-38, Chapter 157, assigned Giles and Lincoln Counties to the 10th Brigade of the state militia and set their annual drills on the second Friday and Saturday in September.
13. Private Acts of 1837-38, Chapter 263, authorized the Quarterly County Court of Giles County to appoint an Entry Taker who may reside, if need be, in a place other than the county seat and the Court was likewise given the power and authority to pay for a general plan for the county.
14. Private Acts of 1843-44, Chapter 194, authorized the officers of the several regiments of the State Militia in Giles County to reorganize the same into 4 Regiments, the fourth one to be called the 162nd Regiment of the Tennessee State Militia. The sheriff was directed to give public notice of the time and place when the popular election of officers for those regiments would take place.
15. Private Acts of 1843-44, Chapter 89, amended Public Acts of 1842, Chapter 34, which was a public law seeking to perfect title to certain roads in Tennessee for the state which involved action by the Entry-Taker so that it became the duty of the Circuit Court Clerks of Lawrence, Hickman, Wayne, Giles, and Maury counties to examine the books of their respective Entry-Takers on the first Monday in September, each year, to report to the State Comptroller on or before the 15th of the month and the Entry-Takers must account to the Comptroller for their funds by the 20th of September.
16. Private Acts of 1853-54, Chapter 317, permitted the President and Directors of the Bank of Tennessee to appoint an additional director of the Bank's branch at Columbia, Tennessee, who would be a citizen and resident of Giles County.
17. Private Acts of 1868-69, Chapter 42, incorporated George T. Allman, Solon E. Rose, Elihu Edmondson, Joseph B. Story, George W. Gordon, A. J. McKinnon, William G. Lewis, and John C. Brown, as the Giles County Blood Horse Association for the development and improvement of blooded horse stock with authority to build and operate tracks and to conduct speed and other tests.
18. Private Acts of 1868-69, Chapter 25, established a Board of County Commissioners for Hickman

- and Van Buren counties but its provisions were expressly extended to Giles County in Sections 16 and 17 in the same manner as the act was written for Van Buren county. In Giles, the commission was composed of the County Executive and two associate commissioners who would hold the Quarterly County Court and perform all of its functions; associates would be elected every two years as all Justices were relieved from the duty of holding Quarterly Courts and all those powers were vested in this Board. The commissioners must give bond of \$500 and would be paid a salary of \$100 monthly in Giles County. This Act was repealed by the act below.
19. Private Acts of 1869-70, Chapter 6, abolished the Board of County Commissioners as it was so constituted in Giles County and Private Acts of 1869-70, Chapter 49, repealed all those Acts which had been repealed or superseded by them, thus again placing the former Acts in full force.
  20. Private Acts of 1875, Chapter 48, empowered the County Court of Giles County at its meeting in April, of 1875, or any term thereafter, to elect a Notary Public for the 15th Civil District of the county with an office to be opened and kept in Lynnville.
  21. Private Acts of 1917, Chapter 56, made women who were over 21 years of age eligible to hold the office of Deputy Clerk and Master of the Chancery Court with all the duties and responsibilities now conferred by law upon said office.
  22. Private Acts of 1919, Chapter 274, permitted women, 21 years old or more, married or single, and residents of the county in which they serve, to be Deputy to the Clerk and Master, the Circuit Court Clerk, the County Court Clerk, the Register, and the Trustee, with all rights, powers, duties and obligations as others similarly situated. Acceptance of the job is a waiver of all defenses and disabilities pleadable by virtue of coverture and she is estopped to deny any job related legal liability.
  23. Private Acts of 1921, Chapter 587, abolished the position of Poor House Commissioner with a general repealer. Private Acts of 1921, Chapter 601, is identical with this act and the reason for the duplication of the statute is unknown.
  24. Private Acts of 1921, Chapter 610, authorized the Quarterly County Court to elect a Superintendent of the County Poor House and Farm for a period of two years and to set his salary therefor. The appointee must make a bond of \$300 and pay over to and account to the Trustee for all the funds coming into his hands.
  25. Private Acts of 1927, Chapter 22, amended the constitution and By-Laws of the Farmer's Mutual Insurance Company of Giles County in three areas but primarily in the manner of setting the salaries of the company's directors at the annual meeting of the stockholder.
  26. Private Acts of 1929, Chapter 919, again amends the Constitution and By-Laws of the Farmer's Mutual Insurance Company in that each member will have one vote, (2) regulates the placing of stove pipes in walls and (3) dwellings cannot be vacant over ten days and not over thirty with a certificate from the Director. Hail and windstorm provisions would not apply to old roofs.
  27. Private Acts of 1933, Chapter 264, removed the disabilities of infancy from Allen Aymett, Jr. who was about to begin his 21st year and is a graduate of Lebanon Law School.
  28. Private Acts of 1933, Chapter 350, removed the minority of Jesse Bryant Pigg of Giles County who could henceforth act as an adult in all respects.
  29. Private Acts of 1935, Chapter 342, and Private Acts of 1935, Chapter 341, removed the disabilities of infancy from Gilmer Townsend and Thomas McCown, respectively, both of Giles County. Private Acts of 1935, Chapter 638, also removed the minority of one Oliver R. Powell, of Giles County.

### **Auditor**

1. Private Acts of 1917, Chapter 807, gave the County Court the authority to make appropriations out of the general funds of the county to pay for any auditing services rendered to the county.
2. Private Acts of 1951, Chapter 128, creates the position of County Auditor and appoints Thomas B. Carter to the post until the next general election when his successor would be elected for a four year term at a \$300 annual salary. The Act fixes the qualifications of the job, names some of the offices which would be audited and who would see that the balances reported by the County Executive and County Superintendent of Schools was correct and, as reported by them, according to the Trustee's books.
3. Private Acts of 1953, Chapter 124, amends Acts of 1951, Chapter 128, Section 3, requiring the County Auditor and assistants to keep books and accounts of the Highway Commissioners, said books to be kept at the Auditor's office in the courthouse in Pulaski. He shall be furnished with a special assistant to be named and employed by the Auditor at a salary not to exceed \$150

monthly from the highway funds to assist him, or by Section 5, to appoint a regular assistant in his office to the post at the same salary and with the same duties mentioned.

4. Private Acts of 1953, Chapter 125, amends Private Acts of 1937, Chapter 90, Section 4, which is the Road Law for Giles County by providing that the books of the County Highway Department shall be kept by the County Auditor, and the Highway Department shall provide a special assistant to do so whose salary shall not exceed \$150 monthly payable from highway funds. The books also would be housed in the office of the County Auditor at courthouse in Pulaski.
5. Private Acts of 1957, Chapter 87, amends Acts of 1953, Chapter 125, Section 1, above, by repealing it and amends Section 2, same Act, by increasing the maximum salary of the Assistant Auditor from \$150 to \$175 monthly.
6. Private Acts of 1963, Chapter 71, repeals entirely and specifically Private Acts of 1951, Chapter 128, which created the position of County Auditor for Giles County, and the amendments would also be carried along with it.

### **Internal Improvement Board**

1. Private Acts of 1831, Chapter 45, appointed Alexander Black, Thomas Martin, Lewis G. Upshaw, Gillion Harwell, Spencer Clark, James Patterson, Robert McLaurine, Earley Benson, Pinckney Wilson, Joab Campbell, and Ralph Graves, Jr., as a Board of Internal Improvement for Giles County. They would elect a President, a Secretary, and a Vice-President from among their number and were authorized to receive subscription for clearing Richland Creek of obstructions to navigation below Pulaski and to clear Elk River also as it flows through the county. As a Board, they can apply for and get Giles County's pro rata share of the funds allotted to Middle Tennessee Counties for internal improvement projects.
2. Private Acts of 1832 (Ex. Sess.), Chapter 10, made it possible for all persons who wanted to build mills on Richland creek to do so provided the work did not interfere with navigation on the stream and provided also, a permit was obtained from the Internal Improvement Board.
3. Private Acts of 1835-36, Chapter 136, actually amended the Giles County Internal Improvement Board Act but applied the changes only to Lincoln County.
4. Private Acts of 1845-46, Chapter 150, Section 18, empowered the Giles County Internal Improvement Board, two-thirds of the members concurring to invest the improvement fund in a bridge company which was building a bridge across the Elk River at that time.
5. Private Acts of 1847-48, Chapter 213, Section 8, authorized the Board to invest the internal improvement fund in the Elkton Bridge Company which was engaged in building a bridge across the Elk River where the Columbia, Pulaski, Elkton, and Alabama Turnpike crossed.
6. Private Acts of 1859-60, Chapter 145, Section 2, cited the fact that the Internal Improvement Board had power to fill vacancies on the Board but had failed to do so. While the remaining members do not constitute a majority, the power to fill vacancies is conferred upon them regardless.

### **Livestock Inspector**

1. Private Acts of 1921, Chapter 76, repeals the law creating the position of livestock inspector in Giles County as the same was applied to it. This was evidently a public law concerning several counties and not just Giles County alone.

### **Zoning**

1. Private Acts of 1992, Chapter 195, direct that all changes to county zoning and regulations must be put to referendum before any changes to zoning would become operative. This act, however, was not approved by local government as confirmed by the Secretary of State and the County Clerk of Giles County.

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