



December 25, 2024

Administration - Historical Notes

Dear Reader:

The following document was created from the CTAS website (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.

Sincerely,

The University of Tennessee
County Technical Assistance Service
226 Anne Dallas Dudley Boulevard, Suite 400
Nashville, Tennessee 37219
615.532.3555 phone
615.532.3699 fax
www.ctas.tennessee.edu

Table of Contents

Administration - Historical Notes	3
--	----------

Administration - Historical Notes

Budget System

The following acts once created a budgeting system for Maury County, but they have been specifically repealed or superseded by current law.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

1. Private Acts of 1937, Chapter 91, established a budget system for Maury County. Under the system the County Judge would submit a general fund and bond budget, the Superintendent of Education a school budget, the Superintendent of Roads a road budget, and the Trustee would prepare a statement showing expected revenues for county taxes. The Quarterly Court would appoint a Budget Commission of three persons, one from Columbia, one from outside Columbia, and one a member of the Quarterly County Court with the duty of preparing unified budget to submit to the Quarterly County Court for approval. It was a misdemeanor under the act to violate the authorized budget amounts of a department or a fund, or to violate any provision of the act or for any official to fail or refuse to perform any duties imposed on the official by the act. The act was passed in January 1937, and promptly repealed in May, 1937.
2. Private Acts of 1937, Chapter 545, repealed Private Acts of 1937, Chapter 91.
3. Private Acts of 1955, Chapter 242, established the office of Director of Accounts and Budgets for Maury County. The Director would be elected by the Quarterly County Court for a term of two years. The duty of the Director was to establish and maintain a system of fiscal procedure, control, and centralized accounting in accordance with the guidelines in the act for the purpose of preparing a proper budget and controlling county finances. The act was not approved by local authorities and did not become effective.
4. Private Acts of 1955, Chapter 243, established a system of budgeting with procedures for the preparation, adoption, and execution of all budgets for all departments, activities, and funds of the County. The act created the Budget Committee composed of five members, one of whom was to be the Director of Accounts and Budgets. The Budget Committee was to compile the various reports required by the act of county officials, hold hearings on proposed budgets and submit bond budget proposals to the Quarterly County Court. This act was not approved by local authorities and did not become effective.

County Attorney

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

1. Private Acts of 1937, Chapter 91, established a budget system for Maury County. Under the system the County Judge would submit a general fund and bond budget, the Superintendent of Education a school budget, the Superintendent of Roads a road budget, and the Trustee would prepare a statement showing expected revenues for county taxes. The Quarterly Court would appoint a Budget Commission of three persons, one from Columbia, one from outside Columbia, and one a member of the Quarterly County Court with the duty of preparing unified budget to submit to the Quarterly County Court for approval. It was a misdemeanor under the act to violate the authorized budget amounts of a department or a fund, or to violate any provision of the act or for any official to fail or refuse to perform any duties imposed on the official by the act. The act was passed in January 1937, and promptly repealed in May, 1937.
2. Private Acts of 1937, Chapter 545, repealed Private Acts of 1937, Chapter 91.
3. Private Acts of 1955, Chapter 242, established the office of Director of Accounts and Budgets for Maury County. The Director would be elected by the Quarterly County Court for a term of two years. The duty of the Director was to establish and maintain a system of fiscal procedure, control, and centralized accounting in accordance with the guidelines in the act for the purpose of preparing a proper budget and controlling county finances. The act was not approved by local authorities and did not become effective.
4. Private Acts of 1955, Chapter 243, established a system of budgeting with procedures for the preparation, adoption, and execution of all budgets for all departments, activities, and funds of the County. The act created the Budget Committee composed of five members, one of whom was to be the Director of Accounts and Budgets. The Budget Committee was to compile the various reports required by the act of county officials, hold hearings on proposed budgets and submit bond budget proposals to the Quarterly County Court. This act was not approved by local

authorities and did not become effective.\

County Clerk

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

1. Acts of 1813, Chapter 133, required the Navigation Commissioners to execute a \$3,000 bond and deposit it for safe keeping with the County Court Clerk.
2. Private Acts of 1933, Chapter 492, declared that the County Court Clerk of Maury County shall not receive more than \$3,000 per year in compensation.

County Legislative Body

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

1. Acts of 1807, Chapter 98, created the County of Maury and authorized the acting Justices of the Peace to levy a tax to pay for the construction of the public buildings including a courthouse. It further provided that the Court of Pleas and Quarter Sessions be held on the third Monday in December, March, June, and September and that the first court should be held at the home of Joseph Brown near Lytle's Creek.
2. Acts of 1815, Chapter 137, authorized the Justices of the Peace in Rutherford, Maury, and Grainger Counties to hold the Court of Pleas and Quarter Sessions for two weeks, if the Justices deem it necessary because it was impractical to complete the business of the court in the time then allowed by law.
3. Acts of 1817, Chapter 138, provided that the court terms of the County Court would begin on the third Monday in January, April, July, and October, and would be held for two weeks unless the business of the court were sooner finished.
4. Private Acts of 1826, Chapter 78, authorized the Court of Pleas and Quarter Sessions of the Counties of Maury, Lawrence, Sumner, Williamson, and Madison, to appoint three of their respective members to hold Quorum Courts during the entire year with the same powers and jurisdiction as the Court possessed when sitting as a body.
5. Public Acts of 1829, Chapter 25, authorized the county courts of all the counties to appoint a Quorum Court to hold court during the year. Section 3 of the act fixed the dates for the beginning of the county court terms in Maury County as the second Monday in March, June, September, and December.
6. Acts of 1837-38, Chapter 263, authorized the County Court of Maury County to appoint an Entry-Taker for the County who could, in the discretion of the court, reside in a place other than the county seat. The Court was further permitted to pay for a general plan of the County.
7. Acts of 1845-46, Chapter 171, permitted the citizens of Williamsport in Maury County to elect an additional Justice of the Peace for their convenience and benefit.
8. Public Acts of 1871, Chapter 89, allowed the residents of Mount Pleasant to elect an additional Justice of the Peace for their town.
9. Private Acts of 1911, Chapter 7, set the time for beginning the terms of the Quarterly County Court as the second Monday in January, April, July, and October.
10. Private Acts of 1919, Chapter 191, allowed each Justice of the Peace a per diem of \$3 while actually attending the Quarterly County Court plus five cents per mile actually traveled between the residence of the Justice and the Court.
11. Private Acts of 1921, Chapter 563, fixes the per diem payments of Justices of the Peace at \$5 while attending the sessions of the Quarterly County Court plus five cents per mile for each mile traveled between their residences and the County seat upon any session of the Court.
12. Private Acts of 1927, Chapter 96, amended Private Acts of 1921, Chapter 563, by raising the per diem payments for Justices to \$10 per day.
13. Private Acts of 1933, Chapter 493, amended Private Acts of 1927, Chapter 96, by reducing the per diem payments of Justices of the Peace from \$10 to \$6.
14. Private Acts of 1935, Chapter 499, empowered the Maury County Court with concurrent jurisdiction with the Chancery Court in all cases instituted for the sale of property, or the disposition of the funds of infants, lunatics, or other persons under a disability.
15. Private Acts of 1939, Chapter 89, repealed Private Acts of 1933, Chapter 493.

16. Private Acts of 1961, Chapter 338, set a per diem of \$20 and a mileage allowance of five cents per mile for all Justices while attending Quarterly County Court, and set a per diem of \$5 for committee members attending committee meeting. This act was not approved by local authorities and did not become law.

County Mayor

The references below are of acts which once applied to the office of county judge, or county executive in Maury County. They are included herein for historical purposes only. Also referenced below are acts which repeal 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 elected by the people 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 1899, Chapter 265, created the office of county judge to be elected by the people for a term of eight years.
4. Private Acts of 1927, Chapter 308, in addition to amending Public Acts of 1899, Chapter 265, as stated above, provided that the County Judge could sit in interchange with circuit and criminal court judges and with chancellors under the conditions and requirements imposed by then current law for interchange among judges.
5. Private Acts of 1927, Chapter 653, authorized the county judge to employ a clerk for his office.
6. Private Acts of 1927, Chapter 699, provided that the County Judge of Maury County would be paid \$1,200 annually as compensation as County Financial Agent and Accounting Officer.
7. Private Acts of 1927, Chapter 700, was identical to Private Acts of 1927, Chapter 653, set forth above in its entirety. The act was assigned House Bill Number 1206 and was passed two days after House Bill Number 813, which was Chapter 653 and considered the operative law for the purposes of amendment. Private Acts of 1969, Chapter 34, repealed Chapter 700 and rectified the situation created by two identical acts being in existence.
8. Private Acts of 1933, Chapter 522, amended Private Acts of 1927, Chapter 699, by changing the annual compensation that was paid the County Judge as County Financial Agent and Accounting officer from \$1,200 to \$600.
9. Private Acts of 1933, Chapter 96, repealed Private Acts of 1933, Chapter 522.
10. Private Acts of 1945, Chapter 333, a general law authorizing quarterly county courts to appropriate money for the retirement of county judges who held office consecutively for 20 years and attained the age of 70. The amount could not to exceed \$3,000 per annum, in equal monthly installments, for the remainder of his life.
11. Private Acts of 1949, Chapter 447, a general law appointing county judges as custodians of the courthouse.
12. Private Acts of 1955, Chapter 208, amended Private Acts of 1941, Chapter 364, which amends Public Acts of 1899, Chapter 265, so that the total compensation of the County Judge would be set at \$6,600 per year. The act was not approved by local authorities and did not become effective.
13. Private Acts of 1961, Chapter 187, authorized the county judge to employ an assistant clerk for his office.
14. Private Acts of 1969, Chapter 34, in addition to amending Private Acts of 1927, Chapter 653, by setting the salary of the Clerk of the County Judge, repealed as a housekeeping measure, the following acts: Private Acts of 1927, Chapter 700, Private Acts of 1943, Chapter 116, Private Acts of 1945, Chapter 38, Private Acts of 1949, Chapter 344, Private Acts of 1957, Chapter 232, and Private Acts of 1963, Chapter 275.

County Register

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

1. Private Acts of 1831, Chapter 15, made it lawful for William K. Hill, Register of Maury County, to keep his office upon his own lot adjoining the Town of Columbia.
2. Public Acts of 1868-69, Chapter 31, repealed the act creating Lewis County from parts of Maury, Hickman, Lawrence, Wayne, and Perry Counties. The act directed that the books of the Register of Lewis County be deposited with the Register of Maury County for safekeeping and copying. It allowed the Register of Maury County to charge the same fee for copying as he charged for copies from his own books.
3. Public Acts of 1869-70, Chapter 30, repealed the sections of Private Acts of 1868-60, Chapter 31, above, pertaining to the Register and re-established the County of Lewis. All records were to be returned to the officials of Lewis County.
4. Private Acts of 1933, Chapter 491, declared that the Register of Maury County would not be entitled to receive more than \$2,500 annually as compensation for his services.

County Trustee

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

1. Private Acts of 1923, Chapter 671, authorized the Quarterly County Court of Maury County to appropriate a sum, which in its judgement would be right, to compensate the County Trustee for negotiating the sale of \$75,000 worth of highway bonds authorized by Private Acts of 1919, Chapter 175.
2. Private Acts of 1929, Chapter 788, allowed the County Trustee an alternative to the filing of bonds required by general law of county trustees, that is, the Trustee could execute a bond in an amount equal to one-fourth of all taxes and revenues due the State and County and handled by the Trustee. If the Trustee chose this alternative, the County would pay the bond premium.
3. Private Acts of 1933, Chapter 495, declared that the Trustee of Maury County shall not be entitled to receive more than \$3,000 as compensation for his services during any one year of his term.
4. Private Acts of 1933, Chapter 584, provided that all bonds required of the County Trustee of Maury County were not to exceed \$100,000, and that all such bonds must be made with an approved surety company. The County would pay all premiums.

Purchasing

The following act once affected the purchasing procedures of Maury County, but is no longer operative.

1. Private Acts of 1955, Chapter 244, created the office of County Purchasing Agent in Maury County, provided for his election and removal from office, established a County Purchasing Commission with certain powers and duties, and promulgated standards and procedures for the purchasing of all articles by every department of the county government except Maury County Hospital. The act was not approved by local authorities and did not become law.

General References

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

1. Acts of 1811, Chapter 44, required the County Courts of Maury and Giles Counties each to elect a surveyor to survey the land within the county boundaries. The surveyor so elected would be required to enter into a \$10,000 performance bond.
2. Acts of 1813, Chapter 133, appointed two sets of Commissioners of the Duck River Navigation. Alexander Gray and Garrett Lane of Hickman County and Robert Hill, William Cathay, William Stockard of Maury County composed the first set of Commissioners and were responsible for navigation improvement from Gordon's Ferry to the mouth of the Duck River. They were to collect from the Town of Columbia \$1,050 to be expended in their efforts. The second set of Commissioners was composed of Jonathan Webster, Isaac Roberts, and Samuel Smith who were responsible for that portion of the river from Gordon's Ferry to the Bedford County Line. Columbia was required to pay them \$1,000. The Commissioners were to report annually to the Maury County Court and account for their expenditures and activities.
3. Private Acts of 1822, Chapter 213, authorized the County Court of Maury County to pay compensation for services rendered to the members of the Board of Commissioners responsible for building the bridge over Duck River in Columbia. The Board had been established by Private Acts of 1819, Chapter 103.
4. Private Acts of 1823, Chapter 139, amended Private Acts of 1819, Chapter 103, which authorized the building of a bridge over Duck River in Columbia, by empowering the County Court of Maury

- County to fix and collect a toll for use of the said bridge, such toll not to exceed the ferriage previously paid at the ferry. Residents of Maury County were exempt from paying the toll. The County Court was to appoint a gatekeeper and was to keep the ford above the bridge in good repair for use by those persons not desiring to pay the toll.
5. Private Acts of 1827, Chapter 58, named several people to be managers of a lottery to raise \$20,000 to improve navigation on the Duck River. The managers were to execute a \$100,000 bond with the chairman of the County Court.
 6. Public Acts of 1831, Chapter 45, directed that Maury County's share of the State Internal Improvement Fund be paid over to the County Trustee of Maury County, the money to be used for the common school fund or for internal improvements in the County.
 7. Private Acts of 1832, Chapter 24, permitted John Brown, the Surveyor-General of the 8th District to keep his office at any place within one-quarter of a mile of the seat of justice of Maury County.
 8. Private Acts of 1835-36, Chapter 48, abolished the offices of surveyor south and west of the congressional Reservation line. The Surveyor of the 8th District was to turn over his records to the Entry Taker of Maury County.
 9. Acts of 1837-38, Chapter 119, provided that the Entry-Taker's office for that area of Maury County lying south and west of the Congressional Reservation line would be attached to and made a part of the county surveyor's office who would do the job and receive the fees of the Entry-Taker. Further, it provided that the surveyor's office could be kept at Mount Pleasant or other convenient place in the County, that he could appoint deputies, and that the former surveyor of the Surveyor's District must hand over all books and papers incidental to that office to the county surveyor.
 10. Acts of 1843-44, Chapter 197, stated that no person in default to the state treasury at the time of his election to any office of trust or profit would be eligible for that office and his election would be void; provided, however, that the County Court of Maury County may compromise with Nimrod Porter and his securities for county taxes due the county from him. The money obtained would be applied to the building of a new courthouse.
 11. Acts of 1849-50, Chapter 159, incorporated the Maury County Astronomical Society which had the following named incorporators: Franklin G. Smith, Edmund Dillahunt, Andrew J. Polk, James H. Otey, Gideon J. Pillow, William E. Kennedy, Abraham J. Looney, Roger B. Mays, Baxter H. Ragsdale, Joseph H. Crawford, Isaac N. Bills, James O. Griffith, Oliver H. Bennett, Madison S. Frierson and John B. Hamilton. The Society was formed for the purpose of making original observations in astronomy.
 12. Acts of 1855-56, Chapter 11, authorized the incorporation of Thomas J. Kelly, James Andrews, Nathan Vaught, William J. Dale, John B. Hamilton, Andrew J. McCord, and John B. Padgett as the Maury County Building Association with the stated object that the working men of Maury County become their own landlords and own real estate rather than be renters of real estate.
 13. Acts of 1855-56, Chapter 244, constituted and incorporated the Duck River Valley Railroad Company for the purpose of constructing a railroad Company from Shelbyville to run on the north side of Duck River to a point intersecting with the Tennessee and Alabama Railroad in Maury County. With voter approval, the County Court of Maury County was permitted to subscribe to and take stock in the company. The act also authorized the state to endorse and guarantee a bond issue of up to \$200,000 by the Tennessee and Alabama Railroad Company upon the condition that the company make Columbia in Maury County a point on the railroad. The condition would not apply if the citizens of Maury County did not subscribe to enough stock in the company to pay for the local work necessary to bring the railroad to Columbia from Spring Hill, the bridge across Duck River excepted.
 14. Acts of 1909, Chapter 247, amended Acts of 1907, Chapter 68, a general law relating to livestock inspection. In Maury County, the Quarterly County Court was required to select a competent person to be called the County Live Stock Inspector who would serve terms of two years at a salary of \$50 per month.
 15. Private Acts of 1911, Chapter 414, set forth the form for the corporate charter of a company in Maury County which would supply water, gas, and electric power and be under one management and operated under one charter in the cities and towns of the County. The company would have the right of eminent domain and would be restricted to cities and towns that consent by ordinance to its beginning operation and it would not be able to purchase or acquire utilities already in existence.
 16. Private Acts of 1913, Chapter 199, amended Acts of 1909, Chapter 247 by making the election of

- the Live Stock Inspector permissive instead of mandatory.
17. Private Acts of 1915, Chapter 320, further amended Acts of 1909, Chapter 247 by bringing the Live Stock Inspector under the regulations of the State Live Stock Inspector, raising the salary of the office to \$75 per month, and reducing the term of office to one year.
 18. Private Acts of 1929, Chapter 117, ratified the prior proceedings of the Maury County Quarterly Court in which it issued a warrant for \$1,250 to aid in purchasing the James K. Polk Memorial Home, title to which would vest in the State of Tennessee, and declared such proceedings valid as though the Court had been authorized to so act.
 19. Private Acts of 1933, Chapter 244, removed the disability of Albert Gray Lineberger of Columbia to practice pharmacy and authorized him to practice as though duly licensed by the State Board of Pharmacy Examiners.
 20. Private Acts of 1933, Chapter 245, removed the disability of infancy from Grace Wavelyn Jackson, daughter of W. H. and Aline O. Jackson, of Columbia, to enable her to take the bar examination and to practice law or engage in any profession or vocation and to perform all things she could lawfully do if she were twenty-one years of age.
 21. . Private Acts of 1933, Chapter 353, removes the disability of Floyd Walters of Columbia to practice pharmacy. He had met the requirements of working under a registered pharmacist but his application for a license had been misplaced and never acted upon. This act would permit him to practice just as if he had passed the examination.
 22. Private Acts of 1935, Chapter 353, removed the disability of minority from Gertrude B. Fields of Maury County.
 23. Private Acts of 1935, Chapter 513, removed the disability of minority from Luther B. Stockard of Maury County.
 24. Private Acts of 1961, Chapter 169, authorized the Quarterly County Court to appropriate money to indemnify any person who had suffered a loss of funds due to the misappropriation of funds by any duly elected county official or employee to the extent the loss was not covered by an official bond. This act was not approved by the local authorities and did not become law.

Source URL: <https://www.ctas.tennessee.edu/private-acts/administration-historical-notes-70>