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# Administration - Historical Notes

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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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Table of Contents

<b>Administration - Historical Notes .....</b>	<b>3</b>
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# Administration - Historical Notes

## **General Reference**

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administrative and political history of Hamblen County but are today no longer operative because they have either been superseded, repealed, or failed to receive local approval.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

1. Acts of 1907, Chapter 567, authorized the County Court to issue interest bearing warrants in the years of 1907 and 1908 of not more than \$10,000 at the legal interest rate. The funds from these warrants were to be used for paying off general county indebtedness. Acts of 1907, Chapter 383, was identical to Chapter 567.
2. Private Acts of 1911, Chapter 483, authorized Hamblen County to issue warrants in 1911 and 1912 in the amount of \$10,000 at the legal interest rate, to be used for paying general county indebtedness. Private Acts of 1911, Chapter 384, was identical to Chapter 483.
3. Private Acts of 1915, Chapter 58, set the compensation of Justices of the Peace at \$2.50 per day for all regular and special meetings of the Quarterly County Court, plus \$.05 per mile to and from the place of each meeting.
4. Private Acts of 1927, Chapter 16, created the office of Hamblen County Attorney, to be elected by the voters for a two year term. The County Attorney was to conduct all the legal business of the county and to receive \$500 per annum plus traveling expenses. This Act was repealed by Private Acts of 1947, Chapter 445.
5. Private Acts of 1927, Chapter 98, was the first Private Act dealing with the problem of acquiring a clear title to the land on which the first courthouse was constructed. The original 1871 deed to the land gave the property in trust to Lewis Leeper, Chairman of the County Court and his successors in office, with a reversionary clause returning the land to the grantor and certain representatives when it ceased to be used for the purposes for which courthouses were held and used by law. This Act gave Hamblen County the authority to acquire by purchase and by any necessary legal proceeding all outstanding interests in that property so that Hamblen County would hold a clear title in fee simple to the courthouse property.
6. Private Acts of 1929, Chapter 823, was the next act whose purpose was to help the County acquire title to the original courthouse property so that it could be disposed of and the courthouse moved to a site closer to the downtown area of Morristown. This act empowered Hamblen County to sell its courthouse located on the land deeded by G. W. Barnett in 1871 and to give to the purchaser of that land a clear title in fee simple regardless of the alleged trust created by the 1871 deed. A portion of the sale money was to be held in trust by Hamblen County, in an amount sufficient to discharge all of the alleged trust created by the 1871 deed. This amount was to be held until Barnett or his personal representatives established by court decree their right to those funds.
7. Private Acts of 1933, Chapter 756, amended the general law to provide that the Quarterly County Court could by resolution request a reduction in the number of deputies and/or their salaries by application to the proper court, and that the Quarterly County Court also by resolution had to approve any increase in deputies or their salaries. This is now covered by the Code provisions found in T.C.A. 8-20-101.
8. Private Acts of 1933, Chapter 770, set the salaries of the County Court Clerk and the County Trustee and provided that in order to receive their salary, each must be diligent in the collection of the fees of their office and could not refuse to collect any fees due their office. Any loss of fees from their conduct would be charged as a loss to them. These salaries are now set in general law provisions found in T.C.A. 8-24-102 and 8-24-104. Private Acts of 1933, Chapter 765, which set the compensation of the county register, was amended by this act.
9. Private Acts of 1949, Chapter 311, set the salary of Justices of the Peace at \$10 per day. This Act was repealed by Private Acts of 1967-68, Chapter 435, which set their per diem salary at \$25. Both of these Acts have been superseded by the general law found in T.C.A. 5-5-107.
10. Private Acts of 1955, Chapter 346, gave Hamblen County authority to negotiate contracts with other counties, municipalities, federal and state government, and private industry, for the sale of crushed rock. This has been superseded by T.C.A. 54-7-202, a section of the Tennessee Uniform County Road Law.
11. Private Acts of 2006, Chapter 106, created the Hamblen County Special Endowment Fund which

received excess rents from the Morristown-Hanblen Hospital Association. This Act was repealed by Private Acts of 2011, Chapter 106.

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