



November 23, 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,

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Budget System

The following acts once created a budgeting system for Macon County, but they have been specifically repealed or superseded by current law.

1. Private Acts of 1977, Chapter 54, would have amended Private Acts of 1937, Chapter 99, Section 4, by providing that the Sheriff of Macon County would hereafter have the duty of purchasing all supplies, materials, and equipment, required for the operation of the Sheriff's Department and the Jail but would be required to stay strictly within budget limitations. Any change in the budget must take place under Section 3 of the 1937 Act. The Sheriff would not receive any additional compensation for these added duties and penalties were provided for violations of this act. This Act was rejected by the Macon Quarterly Court and therefore never took effect.

County Attorney

The following act once affected the appointment, election, or office of the county attorney in Macon County. The act is included for historical reference only.

1. Private Acts of 1987, Chapter 31, was not ratified at the local level of Macon County. The act was to create the position of county attorney for Macon County.

County Mayor

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

1. Private Acts of 1937, Chapter 100, as amended by Private Acts of 1949, Chapter 96, abolished the office of county chairman of the court court of Macon County and created the office of county judge.
2. Private Acts of 1951, Chapter 61, recited in the preamble that the duties of the County Judge of Macon County had become heavy and burdensome, and the County Judge is called upon to perform many ex-officio duties without any compensation, and these additional functions surely require some sort of clerical assistance, this act adds the compensation of \$600 per year to be paid to the county Judge of Macon County in his capacity as administrative and fiscal officer, beginning with the month this act become effective, any payable out of the general funds.
3. Private Acts of 1961, Chapter 139, declared that the County Judge of Macon County was hereby designated as fiscal officer and financial agent for the county and for his services as such he shall receive \$1,200 per year, payable in equal monthly installments out of the general fund of the county. This act was properly ratified by the Quarterly County Court.
4. Private Acts of 1975, Chapter 152, amended Chapter 100, Private Acts of 1937, and Chapter 555, Private Acts of 1951, by divesting the jurisdiction over juveniles out of the bonds of the County Judge and placing it in the General Sessions Judge. The Quarterly County Court of Macon County took no action on this bill and it is therefore not operative and not in effect in accordance with its provisions.

County Legislative Body

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

1. Private Acts of 1915, Chapter 497, provided that the Justices of the Peace of Macon County, identified by using the 1910 Federal Census figures, shall be paid \$2.00 per day for their services while attending the meetings of the Quarterly County Court, plus five cents per mile for going to and from their homes to the courthouse, not to exceed two round trips per term of court, payable out the county treasury on the warrant of the County Judge.
2. Private Acts of 1949, Chapter 371, stated that the Justices of the Peace in Macon County would be paid the sum of \$4.00 per day for each day spent in attending the regular meetings of the Quarterly County Court, and for all other services rendered as members of committees appointed by and under the direction of the court.
3. Private Acts of 1959, Chapter 341, set the per diem of Justices of the Peace at \$20 plus an additional 10¢ per mile for attendance at meetings.
4. Private Acts of 1963, Chapter 15, authorized the Chairman Pro Tem of the county Court of Macon county to perform all the duties and functions of the regular county judge as they are now prescribed by law during any illness, sickness, or disability, the arrangement shall cease and all

authority and functions be returned to the Judge. This Act was rejected and disapproved by the Quarterly County Court of Macon County and therefore never became a law because of the Home Rule Amendment to the State Constitution.

5. Private Acts of 1970, Chapter 237, amended Chapter 341, Private Acts of 1959, by increasing the per diem of the Justices of the Peace from \$8.00 to \$20.00 for each day at meetings of the Quarterly County Court. This Act was properly ratified and activated by the Quarterly Court.

County Register

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

1. Private Acts of 1931, Chapter 431, provided that the Register of Macon County shall be paid a monthly salary of \$50 in addition to the fees collected in his office, payable on the first day of each calendar month out of the regular funds of the county on the warrant of the County Judge, or Chairman.

County Trustee

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

1. Private Acts of 1911, Chapter 79, stated that the Trustee of Macon County should contract with the Bank making the highest and best bid to pay interest on the daily balances of county funds deposited in the Bank. The Trustee was vested with full power and authority to contract with the approval of the County Judge or Chairman, whereupon, when completed, the Trustee deposited the funds. Failure on the part of the Trustee to comply made him responsible personally for the money the funds would have earned on deposit, if he had complied herewith. The Bank was to give a complete statement of earnings by the 15th of every month which the Trustee would include in his report to the County Court.

General References

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

1. Acts of 1847-48, Chapter 141, stated that Macon County is attached to the Nashville Bank District and shall be entitled to one Director in said Bank who will be chosen and who will have the same rights and privileges as other Directors of the Bank.
2. Acts of 1857-58, Chapter 126, abolished the office of Entry Taker in the counties of Lawrence, DeKalb, White, Macon, Decatur, Grundy, Humphreys, and Wilson, and, provided that hereafter the Surveyor in those counties would perform all the duties of the Entry Taker and receive all the compensation and fees to which the Entry Taker would have been normally entitled.
3. Acts of 1859-60, Chapter 203, stated in the preamble that the court house for Macon County recently burned by accident and that there was a portion of internal improvement funds set aside for Smith County which were later allocated to Macon County by Resolution. These funds may be appropriated to the restoration of the Court House provided that two thirds of the Justices of the Peace agree.
4. Acts of 1897, Chapter 124, was among the first statewide salary laws setting the compensation of various counties officials according to the population of their counties as is now done. This Act was the forerunner and the model for many other salary acts to follow. The officials would be paid a monthly salary out of the fees collected by their office in the amounts specified in the Act. The payments would be made on the warrants of the County Judge. The fees were declared to be the property of the county, an accurate report of which would be given by the officials, and, if fees were less than the salary, various remedies were given to supply the deficiency from earlier and later excessive fees. This Act was part of the case in Weaver v. Davidson County, 104 Tenn. 315, 59 S.W. 1105 (1900).
5. Private Acts of 1937, Chapter 192, abolished the present Board of Revenue Commissioners in Macon County and created a new five member Board composed of one person from each of five Revenue Zones. The Revenue Zones were designated and they were composed of whole civil districts. Fred McDonald, W.D. Coley, Carlie Duncan, Silas Euetts, and Turner Day, were named as Commissioners to serve until their successors were elected, who would serve four year terms, and be paid according to the general laws of the State, and who would discharge all duties and obligations required by the general laws of the State. This Act was repealed by the one following.
6. Private Acts of 1939, Chapter 545, expressly repeals Chapter 192, Private Acts of 1937, above, in its entirety.

7. Private Acts of 1943, Chapter 473, authorized the Quarterly Court to elect a supervisor to manage the county poor farm.

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