



July 22, 2024

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,

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

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County Clerk

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

1. Acts of 1853-54, Chapter 99, ratified and confirmed all the acts heretofore accomplished by any person in the names of the County Court Clerk and County Register of Humphreys County which were done pursuant to the verbal authority of these county officials. The acts were to be as valid and binding as though performed by the officials themselves.
2. Private Acts of 1919, Chapter 7, made women over the age of 21 and residents of the county where they were appointed eligible to serve as a Deputy Clerk in any of the courts of Humphreys County. They would have all the rights and privileges, and be subject to all the obligations of any other Clerk of the respective court.

County Mayor

The references below are of acts which once applied to the office of county judge, or county executive in Humphreys 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 Tennessee county, who would be elected for four years by the people, be learned in the law, and be sworn and commissioned as any other judge. Quorum Courts were abolished and all their duties transferred to the County Judge who would also take over the responsibilities of the Chairman of the County Court. The jurisdiction of the court was specified in the Act. The Judge would also be the general agent and accounting officer of the county. His duties as such, and the authority granted to him, were all enumerated in this Act. The County Judge would receive five dollars per day plus any additional amount granted by the Quarterly Court as his compensation. This Act was repealed by Public Acts of 1857-58, Chapter 5.
2. Public Acts of 1887, Chapter 162, created the office of county judge for Humphreys County. This act was superseded by general law.
3. Private Acts of 1919, Chapter 778, provided that the County Judge of Humphreys County in addition to all the other duties, powers, and jurisdiction conferred upon him in Public Acts of 1887, Chapter 162, would also have the power to grant writs of attachment and injunctions in suits brought in the Chancery Court and the Circuit Court, to confirm land sales in partition suits, and to exercise concurrent jurisdiction with the Chancery Court in all respects. The compensation of the Judge would be \$1200 annually which would be in lieu of all other earnings, the same to be paid monthly out of the regular county funds. This Acts was repealed by Private Acts of 1923, Chapter 356.
4. Private Acts of 1935, Chapter 405, granted the County Judge of Humphreys County the same powers as Chancellors and Circuit Judges to grant writs of habeas corpus and to hear and determine casing arising thereon. The County Judge was given concurrent jurisdiction with the Chancellor in certain specified areas. These judicial powers were removed by Private Acts of 1981, Chapter 137.
5. Private Acts of 1953, Chapter 477, stated that the County Judge of Humphreys County for his services as Financial Agent and Chief Accounting Officer of the county, would be paid \$1,500 a year, payable monthly upon a warrant issued by the Judge upon the Trustee, coming out of the general fund of the County, which amount would be in addition to all other compensation for the Judge

County Legislative Body

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

1. Acts of 1809, Chapter 31, which created Humphreys County, also provided that the Court of Pleas and Quarter Sessions would meet at the house of Samuel Parker, Jr. in the said county on the first Monday in February, May, August, and November until otherwise provided for by law. The said term to run up to six judicial days if necessary.
2. Acts of 1809, Chapter 93, scheduled the opening dates for the regular terms of the Courts of Pleas and Quarter Sessions for every county in Tennessee. The Court would meet in Humphreys

County on the fourth Monday in January, April, July, and October.

3. Acts of 1817, Chapter 138, Section 3, established the times for the regular terms of the County Court of Humphreys County on the fourth Monday in January, April, July, and October.
4. Public Acts of 1827, Chapter 44, Section 2, provided that the Court of Pleas and Quarter Sessions of the counties of Perry, Humphreys, Stewart, Hickman, and Henry, a majority of the justices being present and in favor thereof, could select three of their number on the first day of the first term of the year who would hold court for the remainder of the year with all the authority, jurisdiction, and the regulations of the full court.
5. Public Acts of 1835-36, Chapter 6, established a court in every county of the State to be held by the justices of the peace which would meet on the first Monday in every month and hold court until the business of the same were complete. Three Justices would constitute a quorum to hear the probate of wills and related matters of estate administration but no jury trials could be held by this Court. The County Court was given the authority to select one of their number as Chairman for a one year term who would preside over this Court. The Court was empowered to levy a tax for county purposes.
6. Acts of 1837-38, Chapter 228, directed the County Court of Humphreys County to move from Reynoldsburgh to Waverly effective March 1, 1838.
7. Public Acts of 1867-68, Chapter 65, created a three member Board of County Commissioners, initially selected by the governor to staggered terms, who would be elected by the people to three year terms. The member with the most seniority would serve as President. The Board would hold four sessions annually at the times prescribed for holding the regular terms of the Quarterly Court. The Clerk of the County Court would be the Recorder of said Board. All of the powers and duties which were then vested in the Quarterly Court would hereafter be vested in the Board of County Commissioners. The President would receive \$150 and the other two members \$100 as compensation for their services. The Quorum Courts were abolished and the Magistrates were relieved of all their duties and obligations. This Act was repealed as to Humphreys County by Public Acts of 1868-69, Chapter 40, Section 17.
8. Public Acts of 1869-70, Chapter 49, repealed Public Acts of 1867-68, Chapter 65, and all other Acts establishing County Commissioners and revived all laws which may have been repealed thereby.
9. Private Acts of 1911, Chapter 544, provided that each Justice of the Peace in Franklin County and Humphreys County would be paid \$2.50 per day for each day of attendance at the regular and called sessions of the Quarterly County Court, plus whatever mileage was allowed by law. These sums would be paid on the warrant of the County Judge out of regular county funds.
10. Private Acts of 1919, Chapter 474, stated that in Humphreys County each and every Justice of the Peace would be paid \$3.50 per day for their services rendered in attendance at regular meetings and called sessions of the Quarterly County Court, which amount would be in addition to any mileage payments authorized by law. The money would be paid out of the regular county funds on the warrant of the County Judge.
11. Private Acts of 1937, Chapter 604, authorized Humphreys County to pay their Justices of the Peace the same per diem they receive for attendance at the meetings of the Quarterly Court for all services rendered by them on committee appointments by or under the direction of the court, which payments were not to exceed five days for any one magistrate in one year.
12. Private Acts of 1939, Chapter 259, amended Private Acts of 1937, Chapter 604, by raising the limit on the number of extra meetings for which a Justice of the Peace could be paid in Humphreys County from five to ten.
13. Private Acts of 1945, Chapter 108, declared that Justices of the Peace in Humphreys County would be paid \$2.50 per day for their attendance at the regular sessions of the Quarterly Court, plus a mileage allowance of five cents per mile for each mile traveled going from their homes to the meetings and return. This Act was repealed by Private Acts of 1953, Chapter 332.
14. Private Acts of 1953, Chapter 332, set the per diem allowance for the Justices of the Peace in Humphreys County at \$7.50 per day for each day of attendance at the sessions of the Quarterly County Court, and, in addition, they would be paid a mileage allowance of five cents per mile for each mile traveled going to and from their homes and the meeting place. This Act was repealed by Private Acts of 1967-68, Chapter 106.

County Register

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

operative.

1. Acts of 1853-54, Chapter 99, ratified and confirmed all the acts heretofore done by persons in the names of the County Court Clerk and Register of Humphreys County which were performed pursuant to verbal authority from these officials to the same extent as if they had been performed by the officials themselves. This Act would not affect any title to land involved in any lawsuit pending in the county.

Port Authority

1. A Private Act related to the Humphreys County Port Authority is listed below. 28. Private Acts of 1983, Chapter 133, would have amended Private Acts of 1965, Chapter 104, by increasing the number of Port Authority Commissioners from five to seven but this Act was not approved by the local authorities and never took effect.
2. Private Acts of 1984, Chapter 154, which would have increased the number of Port Authority Commissioners, corrected references to various county officials and make other changes, according to the official records of the Secretary of State was not acted upon by local authorities and is therefore not in effect and not reprinted herein.

Purchasing

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

1. Private Acts of 1976, Chapter 266, would have established the "County Purchasing Law of Humphreys County" but the Act was not approved by the Quarterly Court and consequently never took effect. The Act set up a six member County Purchasing Commission, composed of the Finance Committee of the Quarterly Court, the County Judge, and a special financial advisor to the Commission who would be appointed by the County Judge. The Commission would supervise all purchasing for the County, would appoint an experienced and qualified county employee as the Purchasing Agent for a four year term, and promulgate rules to govern purchasing practices. The Purchasing Agent's salary would be fixed annually by the Quarterly Court, and he would have an office equipped and furnished by the County, and could exercise the specific powers granted in the Act. \$1,000 was the limit which could be purchased without bids, and all purchasers exceeding that amount must be solicited for bids in the manner stipulated in the Act. Emergency purchases were excepted from the several general rules enumerated in this Act.

General References

The following private or local acts constitute part of the administrative and political history of Humphreys 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 1811, Chapter 26, provided that an election would be held on the first Monday in March 1812 to elect five Commissioners who would establish the county seat in Humphreys County, having regard for the constitutional limits of the County and the center of the same. The Commissioners would select 50 acres, or more, lay off the same into lots, alleys, and streets, reserving two acres, or more, in the center for the public square on which would be built the Court House, Prison, and stocks. Lots were to be sold to be best bidder for cash and the proceeds used to erect the buildings. All the Commissioners for this town, to be called Reynoldsburgh, would be sworn and bonded before entering upon the duties of their offices.
2. Acts of 1815, Chapter 44, established a system for public inspection of tobacco, hemp, flour, lard, butter and other commodities which were intended for exportation which included the erection of warehouses for their storage. In Humphreys County the warehouse and the inspection would be in the town of Reynoldsburgh.
3. Acts of 1815, Chapter 167, appointed Francis Murry, Michael Dickson, James Gordon, Joshua Williams, and Burwell Lasly as Commissioners for the town of Reynoldsburgh. The Commissioners would choose from their own body a Chairman, Treasurer, and a Clerk. The Commissioners could call upon the inhabitants to fix the roads and could also levy taxes and appropriate and expend the financial resources of the town.
4. Private Acts of 1823, Chapter 121, recited in the preamble that several buildings in Reynoldsburgh had been placed mistakenly on streets or on the public square area, this Act named William W. Mallory, Alexander McClure, John Thompson, James Rutherford, and James R. McMeans as Commissioners with the power and authority to alter the streets of the City in such a way that the private properties would not be injured which had mistakenly encroached upon the street rights of

- way. The County Court was required to compensate the Commissioners with a reasonable amount of pay.
5. Private Acts of 1825, Chapter 126, granted to James Rutherford, Robert Jarman, Lewis B. Powers, and David B. Carnes, Commissioners in Humphreys County, full power to demand that the Clerks of the County Court and the Circuit Court pay to them all the money in their offices which was derived from the sale of lots in the town of Reynoldsburgh, or other towns. The Commissioners could have a judgment against the said Clerks if they failed to comply with the terms of this Act.
 6. Private Acts of 1826, Chapter 23, provided that upon proof of one witness in a court of record of the genuineness of the signature of John Tinnen on the bill of sale to one John Pavat, for a slave named London, and another named Delila, the same were to be recorded by the court and admitted to registration.
 7. Private Acts of 1826, Chapter 144, named Enes Ury, Robert Jarman, John Thompson, Dorsey P. Hudson, Conrad Stephens, John Pavatt, and Greene B. Flowers, as the managers of a lottery who would draft a scheme to raise a sum of money not to exceed \$5,000 to build a road through the Tennessee River bottoms opposite Reynoldsburgh in Humphreys County, and to build a bridge over Cypress Creek in said Tennessee bottom on the road leading to Huntington, Jackson, and Paris from Reynoldsburgh.
 8. Private Acts of 1827, Chapter 19, declared that Samson, a free man of color, and his wife, Nancy, would hereafter be legally named Samson Black and Nancy Black.
 9. Public Acts of 1831, Chapter 43, Section 6, directed the cashier of the Bank of the State of Tennessee to place to the credit of the Counties of Montgomery, Dickson, Robertson, Sumner, Davidson, Stewart, Humphreys, Perry, Hickman, Williamson, Lawrence, Wayne, Hardin, and Wilson, their respective shares of the \$60,000 heretofore set aside for the internal improvement of Middle Tennessee. This money could be loaned out to the Counties on approval of the officials of the Bank.
 10. Public Acts of 1831, Chapter 44, required each county west of the Tennessee River on the first day of the first session of the Quarterly Court in each year to appoint three suitable people in the county to serve for one year as the Board of County Commissioners for Internal Improvement. The Board would select a President and a Secretary, and would be in charge of the application of internal improvement funds available to the county to the improvement of the roads and rivers. Section 8 of this Act made the same apply to the counties of Humphreys, Hardin, and Perry.
 11. Public Acts of 1832, Chapter 17, directed that so much of the Internal Improvement Fund as was allocated to Humphreys County would be under the control of the County Court and appropriated by them either to the common school fund of the county or to the internal improvement programs of the county. The Bank of the State of Tennessee would pay over to the Court the amount of money due Humphreys County.
 12. Private Acts of 1832, Chapter 73, Section 5, provided that the counties of Perry, Hardin and Humphreys would be included within the distribution of \$30,000 heretofore set aside for the internal improvement of several counties west of the Tennessee River. These three counties would receive one-half of the sum already allocated to the other counties.
 13. Private Acts of 1833, Chapter 53, Section 3, was legislative authority of Zachariah Wyatt, of Henry County, to enter and lay down on the general plan of the Twelfth Surveyor's District in one or more tracts, but not over five tracts, any amount of vacant and unappropriated land unfit for cultivation, which would include any bank or banks of iron ore, west of the Tennessee River in Humphreys County and Henry County, all of which could not exceed 5,000 acres. He was then required to put into operation works for the manufacture of iron.
 14. Private Acts of 1833, Chapter 88, allowed Hudson Davidson, of Humphreys County, to remove an entry of three acres of land which was made in the 12th Surveyor's District, Range 8, Section 3, in the name of Meredith Holcome, so that the entry could cover a mill seat on Bird Song Creek, provided Davidson could prove to the Surveyor that the title to the said land rested in him.
 15. Private Acts of 1833, Chapter 138, authorized the managers of a lottery authorized by Private Acts of 1826, Chapter 144, to pay over to the common school commissioners the sum of money raised in said lottery.
 16. Acts of 1847-48, Chapter 192, Section 3, attached the counties of Hickman and Humphreys to the Nashville Bank District and to whose Board of Directors would be appointed one Director from each of the counties. These Directors were to be appointed as the other Directors had been.
 17. Private Acts of 1857-58, Chapter 126, stated that after the passage of this Act the office of Entry Taker in the counties of Lawrence, DeKalb, White, Macon, Decatur, Grundy, Humphreys, and

- Wilson, were abolished. The County Surveyors in those counties would hereafter do and perform all the duties of Entry Taker and receive all the fees and emoluments of that office which were payable under the law.
18. Private Acts of 1866-67, Chapter 2, incorporated J. O. Shackelford, J. G. Lucas, John T. Winfrey, and Dr. Gold as both the "Johnsonville Lumber and Shingle Company" and also as the "Johnsonville Coopering Company." These incorporators, plus their associates, would also comprise the corporate founders of the "Johnsonville Brass and Iron Foundry and Plow Company."
 19. Public Acts of 1875, Chapter 56, recited in the preamble of the destitute conditions and of the poverty stricken people who needed relief in certain counties. This Act was the authority for the counties of Stewart, Montgomery, Houston, Dickson, Cheatham, Humphreys and Benton to issue bonds or borrow money to supply the wants of their respective citizens, but the amount was limited to \$10,000 and the interest rate could not exceed 6%. The County Courts would control the expenditure of the money and were authorized to levy a tax to repay the money borrowed.
 20. Private Acts of 1909, Chapter 305, was the authority for the counties to appoint a committee of three members of the County Court who with the County Judge and County Trustee would constitute the County Finance Committee which would negotiate with the Banks on the interest rate proposed to be paid to the county on deposits of the county funds, those offering to pay the highest rate being the designated repository of the county bank accounts. Humphreys County and Shelby County were exempted from the provisions of this Act.
 21. Public Acts of 1919, Chapter 129, amended Private Acts of 1909, Chapter 305, by removing the exception in favor of Humphreys County thus making that county subject to the provisions of the Act.
 22. Private Acts of 1919, Chapter 414, made it lawful in Humphreys County for the Quarterly Court to allow such compensation to members of the standing committees of the Court, viz: the Finance Committee, the Claims and Auditing Committee, as the court in its judgment would consider reasonable and proper, but no member of any committee would be paid more than \$25 extra compensation in any one year.
 23. Private Acts of 1933, Chapter 328, removed all the disabilities of minority from May Lanchester Stringer, of Humphreys County.
 24. Private Acts of 1933, Chapter 806, removed all the burdens of infancy from Tom C. Morris, of Humphreys County, arising from the fact that he was not 21 years of age so that Morris might become eligible to be commissioned as a Notary Public in Humphreys County, in the same manner as if he were 21 years old.
 25. Private Acts of 1935, Chapter 728, stated that in Humphreys County all burial associations were authorized to furnish ambulance service to their policy holders in all cases where it was necessary for any policy holder to be carried to any hospital, or infirmary, for treatment, if such necessity was certified by the attending physician, and this conveyance was the only ambulance service that could be rendered in such case. This Act was repealed by Private Acts of 1953, Chapter 557.
 26. Private Acts of 1937, Chapter 318, stated in the preamble that the town of Waverly was in the process of constructing a garment factory at an estimated cost of \$45,000, which would eventually employ between 250 and 400 people, which condition would prove to be of great benefit to the citizens of Humphreys County, and that special training for these employee prospects at a cost of \$1,500 would be needed in the county, this Act authorized the Quarterly Court to appropriate \$1500 from the county general fund to be spent to train, or aid in the training of operators to work in the said garment factory, the same to be paid on the voucher of the County Judge.
 27. Private Acts of 1937, Chapter 602, stated that in Humphreys County the compensation of county officers would be such compensation as was provided by the general salary law or local statutes but in such county no court would have the power or authority to supplement the compensation of any officer, the provisions of Section 10743, of the Code of Tennessee notwithstanding.

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