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# Chapter I - Administration

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Dear Reader:

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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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## Chapter I - Administration

### Auto Racing Commission

#### Private Acts of 1955 Chapter 398

**SECTION 1.** That in counties of this State having a population of not less than 23,600, nor more than 23,700, by the Federal Census of 1950, or any subsequent Federal Census, there is hereby established an Automobile Racing Commission and no person, firm or corporation shall conduct an automobile race without a permit from said Commission.

At its next regular term occurring more than 30 days after final legislative action hereon, the quarterly county court of any county to which this act may apply, shall select three qualified persons to constitute such Commission. They shall serve at the will of such court and shall receive no compensation but shall be entitled to their reasonable expenses.

Any person, firm or corporation desiring to conduct automobile races in the county to which this act applies shall make application to such Commission for a permit therefor. The application shall state the time and place of the proposed race or races and their probable duration but no permit shall serve to allow any such race on Sunday.

On hearing of such application, the Commission shall consider the public welfare, to what extent a nuisance will be created thereby, by noise or otherwise, to what extent traffic congestion will occur on public thoroughfares and whether the same will interfere with the public peace and tranquility to such an extent that it should not be allowed and a fee of \$1.00 to go to the general fund of the county shall accompany each application for a permit hereunder. Permits shall issue in the sound discretion of the Commission, subject to the above restrictions and limitations.

**SECTION 2.** That this Act shall have no effect unless the same shall have been approved by two-thirds vote of the quarterly county court of any county to which it may apply on or before the next regular meeting of such quarterly county court occurring more than thirty days after its approval by the Chief Executive of this State. Its approval or non-approval shall be proclaimed by the presiding officer of the body having jurisdiction to approve or the reverse, and shall be certified by him to the Secretary of State.

**SECTION 3.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 17, 1955.

### County Register

#### Recordation of Deeds

#### Private Acts of 1947 Chapter 576

**SECTION 1.** That the County Register of the County of Bedford, State of Tennessee, shall not record any deed conveying real estate in said County unless same bears the stamp of the Tax Assessor of said County, certifying that said Tax Assessor has copied the names of the vendor and vendee in said deed of conveyance for the purpose of making proper corrections on his roll of assessments.

**SECTION 2.** That it shall be the duty of the Tax Assessor of Bedford County to be present in person, or to have a deputy present, at his office in the Courthouse during office hours. It shall be the further duty of the Tax Assessor to stamp or to cause to be stamped all deeds presented at his office, with a stamp showing that he has copied the name of the vendor and vendee in said deed of conveyance for the purpose of making proper corrections on his roll of assessments. It shall be the duty of the Tax Assessor to correct his tax rolls in all such cases so that the tax rolls of Bedford County will be kept up to date and will show the correct owners of real estate to the end that property may be assessed in the name of the true owners thereof. Failure of the Tax Assessor of Bedford County to comply with the provisions of this Act shall constitute misconduct in office and subject him to removal from office under Sections 1877 et seq. of the Code of Tennessee.

**SECTION 3.** That this Act take effect from and after its passage, the public welfare requiring it.

Passed: February 28, 1947.

## Fees

### Private Acts of 1947 Chapter 816

**SECTION 1.** That all fees collected or received by the County Trustee, County Court Clerk, Clerk and Master, Circuit Court Clerk, and County Register in Bedford County, Tennessee, shall be paid into the General Fund of said County monthly, and a warrant shall be issued monthly to said public officials against said fund for the payment of the compensation of said officials as now authorized by law. No fees in excess of the salary as now authorized shall be paid said public officials before the payment of the same has been approved by the Quarterly County Court. Unless said approval is obtained by the Quarterly County Court all fees in excess of the salary of the officials mentioned herein shall remain in the General Fund of said County.

**SECTION 2.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 13, 1947.

## Public Service Commission

### Private Acts of 1967-68 Chapter 247

**SECTION 1.** The Quarterly County Court of any county of this State having a population of not less than 23,125 nor more than 23,175 according to the United States Census of Population of 1960, or any subsequent U. S. Census of Population, is authorized to provide essential public services as defined in this Act and in the manner herein provided.

**SECTION 2.** The term "essential public service" as used in this Act means the making available or supplying by anyone, with or without consideration, any labor or facilities or commodities or combinations thereof to all or to any substantial portion or class of the residents of the community which service fosters the health, well-being, happiness, progress or peace of persons in the community and includes but is not limited to

- (a) ambulance service,
- (b) cemeteries,
- (c) funeral parlors and embalming services,
- (d) nursing homes,
- (e) recreation facilities,
- (f) transportation services,
- (g) family counseling service,
- (h) services for the mentally retarded and the mentally ill,
- (i) fire protection,
- (j) trash and garbage disposal, and
- (k) job placement

**SECTION 3.** For the purposes of carrying into force the provisions of this Act, the Quarterly County Court of any county to which this Act may apply is authorized to establish a County Public Service Commission composed of five (5) members. The County Judge shall be Chairman of the Commission and the other four (4) members shall be members of the County Court, elected by the Court. 15 Each Commissioner shall hold office for three (3) years from the time of his election. Each Commissioner shall serve without compensation but shall receive such expense allowance as the County Court may from time to time authorize by resolution.

**SECTION 4.** The commission shall be established by resolution of the Quarterly County Court at such time as the court finds that there is a need for the Commission.

**SECTION 5.** When established, the Commission shall meet in regular meeting on the dates set by the resolution creating the Commission and at such other times as it may by resolution provide. Called meetings may be held upon three (3) days written notice issued by the Chairman of the Commission or by any three (3) Commissioners for such purposes as are set out in the call. The Commission by by-laws, approved by the County Court, shall establish its own rules of procedure.

**SECTION 6.** It shall be the duty of the Commission to keep abreast of the availability, non-availability,

and adequacy of the public services available to the citizens and residents of the county which it considers necessary for their health and welfare and it shall, upon the request of the Quarterly County court or upon its own motion report to the Quarterly County Court concerning the availability, quality and status of said services in the county and its recommendations regarding the services.

**SECTION 7.** The County Public Service Commission with the approval of the Quarterly County Court is authorized, either singly or with either one or more municipalities within the County or in conjunction with any governmental authority, public agency or private agency, corporation or person to do the following:

- (a) To operate and maintain any public service project for public purposes or for the benefit and use of its inhabitants, with or without a charge or profit.
- (b) To construct any public service project.
- (c) To accept from any Federal or State Agency grants for or in aid of the construction of any public service project.
- (d) To contract debts for the construction of any public service project, to borrow money, and to issue its bonds to finance such construction, and to provide for the rights of the holders of the bonds and to secure the bonds as hereinafter provided.
- (e) To acquire by purchase, gift, lease or other contract, real or personal property, tangible or intangible or any right or interest in any property, and to hold and dispose of any such property or interest in any such property, in connection with any public service project.
- (f) To make contracts and execute instruments containing such terms, provisions and conditions as in the discretion of the commissioners may be necessary, proper or advisable for the purpose of carrying out any public service project provided by this Act; to make all other contracts and execute all other instruments necessary, proper or advisable in or for the furtherance of any public service project; and to carry out and perform the terms and conditions of all such contracts or instruments.
- (g) Subscribe to and comply with any federal aid act and any rules and regulations made by any Federal or State Agency or private foundation with regard to any grants or loans, or both, from any Federal or State Agency, or private foundation.
- (h) To perform any acts authorized under this Act through, or by means of its own officers, agents and employees or by contract with private corporations, firms or individuals.
- (i) To subsidize or assist, upon terms, conditions and standard requirements set by the Commission, any person, agency, or other legal entity, whether public or private, providing public services or proposing to provide public services. Such assistance or subsidy shall include but not be limited to providing necessary financing, equipment, tools, vehicles, or other real or personal property needed to raise the standards of such services to the level the Commission considers desirable to assure adequate services to the residents of the county.
- (j) To exercise, for the purpose of obtaining a grant loan or other financial assistance from any Federal or State Agency pursuant to or by virtue of any Federal Aid Act, any power conferred by this Act independently or in conjunction with any other power or powers conferred by this Act or heretofore or hereafter conferred by any other law.
- (k) To do all acts and things necessary or convenient to carry out the powers expressly given in this Act.
- (l) To cooperate with and receive grants from the State or other Agency operating under the authority of the State, having funds available for cooperation in constructing, acquiring, improving, extending, operating and maintaining any public service project or projects.

**SECTION 8.** Upon the approval by the County Court of any public service project proposed by the Commission, the Quarterly County Court shall have the power for such purposes to levy a property tax, to appropriate from the general fund, or otherwise provide funds for the public service project or projects in lieu of or as a supplement to revenue derived from or to be derived from the public service project or projects, and for the operation and conduct of the Public Service Commission. The Commission shall make such reports to the Quarterly County Court in such detail and at such times as the Court may direct.

**SECTION 9.** If any provision of this Act or the application thereof, to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

**SECTION 10.** This Act shall have no effect unless it is approved by a two-thirds (b) vote of the Quarterly County Court of any county to which it may apply at or before the next regular meeting of the Court occurring more than thirty (30) days after its approval by the Governor. Its approval or non-approval shall

be proclaimed by the presiding officer of the Court and certified by him to the Secretary of State.

**SECTION 11.** This Act shall take effect upon becoming a law, the public welfare requiring it.

Passed: May 18, 1967.

## Purchasing

### Private Acts of 1945 Chapter 357

**SECTION 1.** That in all counties within this State, having a population of not less than 23,145 and not more than 23,160, according to the Federal Census of 1940 or any subsequent Federal Census, the County Judge or Chairman of such counties is hereby designated as the County Purchasing Agent, whose duty it shall be to purchase any and all supplies and equipment for the use of county officials, employees or departments and to enter into contracts for the purchase of the same and who shall be charged with the full responsibility of carrying out all of the provisions of this Act, and who shall have sole power and authority to contract for and purchase materials, supplies and equipment of every kind whatsoever, including insurance, for the use of all officials, agents, servants, departments, or agency of, supported by or under the control of the county government or for which the county may be chargeable. The said County Purchasing Agent shall likewise have the sole power and authority to arrange for the purchase or rental of any and all real estate, machinery, or other equipment where said purchases or rentals are to be paid out of any funds belonging to the County or any department or agency thereof.

**SECTION 2.** Be it further enacted, That all purchases or contracts for the purchase of supplies, equipment or material for the use of any official, employee or department or agency of the county government, the estimated value of which shall exceed five thousand dollars (\$5,000) shall, except in emergencies or instances as hereinafter provided, be made by the County Purchasing Agent only after he shall have received at least three written competitive bids for such purchases or contracts for purchase of such supplies, equipment or materials and such purchases or contracts for purchases shall be made only in accordance with the lowest and best bids or bidders. For purchases or contracts with an estimated value between two thousand five hundred dollars (\$2,500) and five thousand dollars (\$5,000), the County Purchasing Agent shall receive three written quotes. Any purchase below two thousand five hundred dollars (\$2,500) shall require the customary purchase order. Said County Purchasing Agent may reserve the right to reject any and all bids, either in whole or in part, when he shall deem advisable to so reject the same, and when two or more bids are submitted at the same price and for the same character, kind and quality of supplies, equipment or materials, he may in his discretion award the contract to either of such bidders or may apportion the requirements between or among the respective bidders.

Whenever in the opinion of said County Purchasing Agent or any official or agency of the county needing such supplies, equipment, or materials, an emergency requires the immediate purchase, the Purchasing Agent may purchase or contract to purchase such supplies, equipment or materials without the necessity of competitive bids, and said Purchasing Agent may likewise dispense with competitive bids in all instances where he is unable to obtain competitive bids, but in such instances the said Purchasing Agent shall certify to the County Court of such counties that an emergency existed that required the waiving of competitive bids or that he was unable to obtain the necessary competitive bids for the supplies, equipment or materials so purchased.

As amended by:

- Private Acts of 1972, Chapter 358
- Private Acts of 1980, Chapter 192
- Private Acts of 1993, Chapter 8
- Private Acts of 2001, Chapter 14

**SECTION 3.** That the Purchasing Agent shall keep a complete record of all purchases or contracts, with copies of the original bids submitted in writing, the names of the bidders together with the amounts of their respective bids, which records shall at all times be open to inspection by any interested party.

**SECTION 4.** That neither the County Purchasing Agent nor any agent, assistant or employee of the county shall be financially interested, or have any personal beneficial interest, either directly or indirectly, in the purchase of any supplies, materials or equipment for the county, nor in any firm, partnership, association or individual furnishing any such supplies, equipment or materials; nor shall the County Purchasing Agent or any assistant, agent or employee accept or receive, directly or indirectly, from any person, firm, corporation or association to whom any contract may be awarded, by rebate, gift or otherwise, any money or other thing of value or contract for future reward or compensation.

The said County Purchasing Agent may require security to accompany bids and fix the amount thereof; may govern the procedure for the delivery and storage of supplies, equipment or materials; may govern the method of requisition by any county official, agency or department of the county, and shall have the

authority to regulate the distribution of articles, parts, supplies, equipment or materials among the county officials or departments; may prescribe the forms for estimates, requisition, orders, contracts and security; may establish definite or regular periods for submitting estimates or requisitions; may dispose of or trade in obsolete, excess or unsuitable supplies, equipment or materials, and salvage or transfer them to other agencies or departments of the county; may provide hearing for complaints with regard to the quality, grade or brand of supplies, equipment or materials; and may do and perform all other acts and things necessary or requisite to fully comply with the provisions of this Act.

**SECTION 5.** That the provisions of this Act shall not apply to the purchase or contracts for purchase of any supplies, equipment or materials that are deemed and sold as Surplus War Commodities, offered for sale or sold by the United States Government.

**SECTION 6.** That the supplies, equipment or materials required by the County Board of Education in such counties are expressly excluded from the provisions of this Act and the purchase or contracts for the purchase of all such supplies, equipment or materials shall be made under such rules, regulations and requirements as the said County Board of Education may from time to time determine and under its exclusive supervision and control.

**SECTION 6-A.** That the provisions of this Act shall not apply to the County Highway Commission of this County.

As amended by: Private Acts of 1947, Chapter 567

**SECTION 7.** That any official named in this Act or any other official, agent, servant or employee of the county who shall fail or refuse to comply with the provisions of this Act or to perform the duties required of him by this Act, shall be guilty of a misdemeanor, punishable by a fine of not more than Fifty (\$50.00) Dollars and be subject to removal from office.

**SECTION 8.** That the provisions of this Act shall be deemed severable and if any portion of this Act shall be declared void or invalid, the remaining portion shall not be affected thereby.

**SECTION 9.** That all Acts or parts of Acts in conflict with the provisions of this Act be and the same are hereby repealed.

**SECTION 10.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: February 22, 1945.

## Utility District

### Private Acts of 1998 Chapter 129

**SECTION 1.** (a) For the purpose of providing funds to construct and operate a waste water treatment plant and water and sewage lines to service residential and commercial development in northern Bedford County, including the new State Fire Code Enforcement School, the Bedford County Utility District of Bedford County, Tennessee, in addition to the powers otherwise granted by law, shall have the power and is hereby authorized in accordance with Tennessee Code Annotated, Section 7-82-501 et seq., to issue revenue bonds and bond anticipation notes in the maximum principal amount outstanding at any time of not more than two million seven hundred thousand dollars (\$2,700,000) to be payable from the revenues generated by the operation of such facility. The proceeds of such bonds and notes shall be applied by the utility district as it deems necessary, to provide sufficient funds to carry out the purposes of this act, to provide for the payment of interest on the bonds and notes for a reasonable time after issuance, to establish reserves to secure bonds and notes, and to provide for the payment of costs of issuance of such bond and notes. The utility district shall proceed with preparation of the necessary documents pertaining to the issuance and sale of such debt. In connection with the issuance of debt, the State Funding Board shall be empowered to secure professionals such as bond counsel, underwriter, and trustee. The bonds and notes shall be in one (1) or more series, shall bear such date or dates, and shall mature at such time or times not exceeding forty (40) years from the date of issue of such original note.

Resolutions authorizing such bonds and notes shall specify interest rates; denominations; registration, if required; terms of registration, if appropriate; manner of execution; medium and place for payment; terms of redemption, if authorized; and such other terms and provisions as determined to be deemed necessary and appropriate. The utility district shall sell the debt at either public or private sale, at such price as it determines.

(b) The utility district shall have power, and is hereby authorized in accordance with Tennessee Code Annotated, Section 7-82-501 et seq., to issue from time to time renewal notes, and bonds to pay notes issued in anticipation of such bonds, and whenever it deems refunding expedient, to refund any bonds by the issuance of refunding bonds, whether the bonds to be refunded have or have not matured, and to

issue bonds partly to refund bonds then outstanding and partly for any other authorized purpose. Such refunding bonds and renewal notes may be issued without further authorization. The refunding bonds shall be sold and the proceeds applied to the purchase, redemption or payment of the bonds to be refunded.

(c) No person executing the bonds or notes of the utility district shall be liable personally on the bonds or notes or be subject to any personal liability or accountability by reason of the issuance thereof.

(d) Any pledge by the utility district made pursuant to this act shall be valid and binding from the time when the pledge is made, the moneys or property so pledged and subsequently received by the utility district shall immediately be subject to the lien or such pledge without any physical delivery thereof or further act, and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the utility district, irrespective of whether such parties have notice thereof. No recordation is required of either the resolution or any other instrument by which such pledge is created.

(e) The bonds and notes of the utility district shall not be invalid due to any irregularity or defect in the proceedings for the issuance or sale thereof. Such bonds and notes shall recite that they have been authorized pursuant to the laws of the state, including particularly this act, which recital shall be conclusive evidence of their validity and the regularity of their issuance.

(f) Bonds and notes of the utility district shall not constitute a general obligation debt or a pledge of the faith and credit of the utility district and the bonds and notes shall be payable solely from the revenues and moneys pledged for their payment. All such bonds and notes shall contain a statement to the effect that they are not a general obligation bond or debt of the utility district, but are payable solely from the revenue and moneys pledged to the payment thereof.

(g) The utility district does hereby covenant and agree with the holders of any bonds or notes of the utility district that it will not limit or alter the rights hereby vested to fulfill the terms of any agreements made with the holders thereof, or in any way impair the rights and remedies of such holders until such bonds or notes, together with interest thereon, and all costs and expenses in connection with any action or proceeding by or on behalf of such holders, are fully met and discharged.

(h) Whether or not the bonds and notes issued under this act are of such form and character as to be negotiable instruments under the provisions of the negotiable instruments law, such bonds or notes shall be and hereby are made negotiable instruments within the meaning of and for all purposes of the negotiable instruments law, subject only to the provisions of the bonds or notes for registration.

(i) The utility district with the holders of the bonds and notes, in consideration of the acceptance of and payment therefor, the bonds and notes and the income therefrom and all moneys received or to be received by the state and pledged to pay or to secure the payment of such bonds and notes shall at all times be free from taxation by the state or any local governmental unit or other political corporations or subdivisions thereof, except for inheritance, transfer and estate taxes.

(j) Bonds and notes issued pursuant to this act shall be and are hereby declared to be legal and authorized investments for banks, savings bonds, trust companies, building and loan associations, insurance companies, fiduciaries, trustees, guardians and all public funds, or security for deposit of such funds, of the state, local government unit or other political corporations or subdivisions of the state.

(k) Pending application of the proceeds of bonds or notes to fund construction costs of the project authorized herein, such proceeds shall be held in trust for the benefit of the holders of such bonds or notes, as the case may be. The utility district is authorized to establish a special trust fund for each issue of bonds or notes sold under the authority of this act. The utility district hereby covenants and agrees that from and after the issuance of bonds or notes under this act, moneys derived by the utility district from revenues generated by the projects funded with the proceeds of the bonds and notes are pledged to the payment of such bonds or notes. The proceeds shall be paid into the particular fund established for the issuance of bonds or notes to which such moneys are pledged, and such moneys shall be accounted for separately from all other moneys and shall be applied by the utility district solely for the purpose of paying principal of and interest and premium, if any, on such issue of bonds and notes issued and paying all other costs incidental to the issuance of such bonds and notes.

**SECTION 2.** The proceeds of any and all issues of bonds herein authorized shall be allocated to the Bedford County Utility District of Bedford County, Tennessee, to be allocated and expended for the purpose of building and operating a waste water treatment plant and water and sewer lines to service residential and commercial development in northern Bedford County including the new State Fire Enforcement Code School.

**SECTION 3.** The proper authorities heretofore enumerated and charged with the duty of expending such funds shall have authority to proceed with the projects authorized herein. No contract, including a contract for architectural services involving a project authorized by this act which is subject to the approval of the



State Building Commission shall be entered into unless the contract is approved by the State Building Commission.

**SECTION 4.** If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

**SECTION 5.** This act shall take effect upon becoming a law, the public welfare requiring it.

Passed: March 12, 1998.

## Administration - Historical Notes

### **County Legislative Body**

The following acts once applied to the quarterly court or the county legislative body of Bedford 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 1813, Chapter 134, Section 2, changed the starting dates for the quarterly county courts of several counties, establishing them for Bedford County as the fourth Monday in January, April, July and October.
2. Acts of 1817, Chapter 138, Section 3, stated that the quarterly county court of Bedford County would begin in the future on the first Monday in January, April, July, and October and the court in Bedford County would stay in session two weeks, or longer, or until the docket was completed.
3. Private Acts of 1820 (2nd Sess.), Chapter 68, recited that some doubt had arisen as to whether or not James Norvell, of Bedford County had been properly commissioned as a Justice of the Peace, and since he had performed many acts of that nature, this could cause quite a lot of harm, if the doubts were true, this act states that the judicial acts done by Norvell during his years as a justice of the peace are hereby ratified and made legal in the same way and to the extent as if he were properly commissioned, and directions are given that a proper commission be issued to him in order to clear up all doubt.
4. Private Acts of 1824 (2nd Sess.), Chapter 136, stated that the quarterly county court in Bedford County would be held on the first Monday in February, May, August, and November, beginning with the first session in October, 1824. The sheriff, and all the officers will continue in office until the first Monday in February, as prescribed and all process shall be made to conform thereby.
5. Private Acts of 1826, Chapter 78, regulates and sets the time for the meetings of the quarterly county court or the courts of pleas and quarter sessions, in several counties, including Bedford, and the counties named would select through the county court three of their number at the January term to hold the quorum courts during the year.
6. Private Acts of 1955, Chapter 331, provided that the justices of the peace in Bedford County be paid \$5.00 dollars per day for their attendance upon each session of the quarterly county court, and additionally, a per diem allowance may be set by the quarterly county court to provide compensation for reasonable and necessary expenses incurred in carrying out their duties.
7. Private Acts of 1967-68, Chapter 82, would have amended Private Acts of 1955, Chapter 331, published herein, by increasing the per diem pay of justices of the peace from \$5.00 to \$25.00 per day for each days attendance at the quarterly county court but this act was not acted on by local authorities and therefore never became a law.

### **County Mayor**

The following acts once applied to the office of county judge in Bedford County and are summarized herein for historical purposes. The office of county judge was abolished following the 1978 amendments to the Tennessee Constitution and the implementing legislation, Public Acts of 1978, Chapter 934.

1. Private Acts of 1927, Chapter 432, established the office of county judge in Bedford County with a term of six years, except for the judge elected in August 1927 who held office until the first Monday in January 1931. The county judge was required to be thirty years old and a resident of Bedford County for two years and the State of Tennessee for five years preceding election. The county judge served as chairman of the quarterly county court composed of the justices of the peace and as judge of the monthly county court with jurisdiction over administrators, executors, guardians, wards, trustees, wills, dower, partition, and all matters testamentary. The county judge was made judge of the juvenile court. The county judge was also granted control over the county roads Additionally, the county judge served as the accounting officer of the county and had

authority to draw warrants upon the county treasury. The annual compensation was set at \$1,800.

2. Private Acts of 1937, Chapter 393, authorized the county judge of Bedford County to grant fiats for writs of injunction, attachment, replevin, certiorari and supersedeas, habeas corpus and all other writs to the same extent that chancellors and circuit judges were authorized. The county judge was granted concurrent jurisdiction with the chancery and circuit courts to try all suits to encroach or entrench upon the corpus of estates of minors or other persons under disability, where the amount involved is \$1,000 or less.
3. Private Acts of 1947, Chapter 725, amended Private Acts of 1927, Chapter 432, to provide additional annual compensation of \$1,200 for the county judge for services as fiscal agent of the county. Beginning, September 1, 1950, the total annual compensation of the county judge became \$3,000 and no extra compensation was to be paid for services as fiscal agent.
4. Private Acts of 1953, Chapter 422, amended Private Acts of 1947, Chapter 725, to remove the prohibition against extra compensation for the county judge's service as fiscal agent of the county.
5. Private Acts of 1980, Chapter 241, amended Private Acts of 1927, Chapter 432, to remove the county judge as judge of the juvenile court if a vacancy occurs in the office of county judge, or by September 1, 1982, whichever is earlier. Juvenile jurisdiction is transferred to the general sessions court.

### **County Trustee**

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

1. Private Acts of 1915, Chapter 199, provided that the bond to be made by the county trustee of Bedford County using the 1910 Federal Census figures, would be \$20,000 for the state taxes and bond for the county tax would be \$30,000. No other or further bonds would be required of this official.

### **General Reference**

The following private or local acts constitute part of the administrative and political history of Bedford 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 1811, Chapter 35, stated that the surveyor's office for the second district which was then located in Jefferson County, a great distance from the second district, was therefore an inconvenience for the citizens of the district. After January 1, 1812, the surveyor of the second district would move his office promptly to Shelbyville in Bedford County, moving all the records of the office to Shelbyville with him.
2. Acts of 1815, Chapter 2, permitted Charles Fain to sell spiritus liquors in Bedford and in Rutherford counties without the necessity of having to obtain a license therefor or of paying any state and county taxes but he was required to give a bond as other merchants of this sort were.
3. Acts of 1815, Chapter 27, permitted William McGee to erect a warehouse on his lands in Bedford County for the public inspection and safekeeping of tobacco, and other articles, to be located at or near the junction of the Barren and the Garrison Forks of Duck River. Any other person who desired to erect a warehouse on their own land in Shelbyville and at Fishing Ford, under the same regulations applying to other warehouse's operation. All hog lard, butter, hemp, flour, and kiln dried meal were to be inspected before being shipped out of the county.
4. Private Acts of 1819, Chapter 16, incorporated the city of Shelbyville under the mayor and alderman form of government. The sheriff of Bedford County would hold an election to elect seven aldermen on the first Monday in November, 1819, who would then choose one of their own number as mayor.
5. Private Acts of 1821, Chapter 83, directed the quarterly county court of Bedford County at its January Session to appoint three commissioners to settle accounts with the commissioners of the Duck River Navigation project for all the money received by them to open the Duck River's navigation in Bedford County. After a five day notice had been given, the commissioners must pay over all the funds in their hands, or the county trustee would bring suit against them. The trustee would place the money in the regular county accounts to be applied to county purposes.
6. Private Acts of 1821, Chapter 221, stated that the building of dams on the Duck River has proved a great utility and navigation on the river had improved greatly thereby, therefore anyone who is in the process of building a dam in Bedford or Maury County across Duck River shall proceed to

erect the same in accordance with the rules and regulations under which the others were built. James Breen could raise his mill dam five feet, as he had petitioned, if he would first build at his own expense a first class road below the dam and intersect the old road. The commissioners would be appointed to inspect and to supervise the work.

7. Private Acts of 1825, Chapter 295, provided that the commissioner of common schools of Bedford County pay Robert B. Harrison the sum of forty dollars and fifty-seven and one half cents, the amount of cost paid by him in the case *Madamus vs. John B. Hogg* surveyor of the second district and which was decided in the circuit court of Bedford County.
8. Private Acts of 1826, Chapter 34, authorized the entry taker of Bedford County to permit Thomas Powers to enter upon any vacant land, still unappropriated, in the said county to the amount of \$22.50 of coverage which would be allowed for that sum under existing rules and regulations, said land to be located north and east of the congressional reservation line.
9. Private Acts of 1826, Chapter 89, appointed William Gilcrist, William Murfree, Farwick Frazier, Thomas A. Peacock, Jeremiah Dial, E. Ragsdale, and William Sample as commissioners to open and manage a lottery to raise up to \$1500.00 which would be applied to making salt in Bedford County. They would be governed by the same rules promulgated for an authorized lottery in Columbia and Franklin for the purpose of building masonic halls.
10. Private Acts of 1826, Chapter 118, authorized James Strut and Alexander Strut, both citizens of Bedford County, to build a mill on Duck River in Bedford County, near the Maury County line, provided that the erection of the mill shall not obstruct the navigation of the river, or violate any requirement imposed by the state for the same purposes.
11. Private Acts of 1827, Chapter 247, Section 4, permitted Samuel Morris to file a petition for a divorce from his wife Malinda before the circuit court of Bedford County.
12. Private Acts of 1829-30, Chapter 2, authorized John Stone, a resident of Bedford County, to hawk and peddle wares throughout the state without the necessity of obtaining a license, or paying any taxes. He was required to take an oath that this privilege was for his benefit and none others.
13. Public Acts of 1831, Chapter 46, appointed John C. Caldwell, John Sutton, and Samuel Phillips to the board of internal improvement for the counties of Davidson, Rutherford, and Bedford, with the authority to open books on stock subscriptions for a turnpike from Nashville to Shelbyville, via Murfreesboro. As soon as \$20,000 was subscribed in stock, the Board could apply for the \$60,000 which had been set aside for the internal improvement of those counties. These commissioners would run the company until 1833 and then others would be elected by the people to take their places. School funds were also permitted to be invested in the company. This act is mentioned in *Heath v. Manire*, 114 Tenn.107, 84 S.W. 809 (1905).
14. Private Acts of 1831, Chapter 59, Section 3, gave the authority to Robert Cannon, John Eakin, Samuel Phillips, Jacob Greer, and Richard Sims to raise and manage a lottery to raise no more than \$5,000 to build a bridge across the Duck River near Shelbyville. It was made incumbent upon them to devote all money raised by the lottery faithfully to the purpose mentioned.
15. Private Acts of 1831, Chapter 88, authorized the administer of the estate of Samuel Hannah to convey three hundred acres of land lying on M'Bride's Creek in Bedford County to William S. Watterson.
16. Private Acts of 1831, Chapter 106, instructed John Sutton, the entry taker of Bedford County, to record all entries in his office which were received by his predecessor in office, James R. White, and which he failed to record. Sutton was required to number all entries and the county trustee would pay him 12½ cents each for doing so.
17. Private Acts of 1831, Chapter 122, granted Unice Cummings, wife of John B. Cummings of Bedford County, all the rights, privileges and immunities of a *feme sole*, except that of intermarrying with another man.
18. Private Acts of 1833, Chapter 130, authorized Elizabeth Anderson of Bedford County to transact all the business of her husband William Anderson. Nothing in the act was construed as to interfere with the rights of matrimony which existed between the Andersons.
19. Private Acts of 1833, Chapter 134, authorized Moses F. White of Bedford County to hawk and peddle without obtaining a license or paying a tax.
20. Private Acts of 1833, Chapter 158, authorized Heseekiah Ray of Bedford County and his successors, to send his or their children to any free school that was taught under the superintendence of the board of common school commissioners.
21. Private Acts of 1833, Chapter 285, dissolved the bonds of matrimony which existed between

- Elizabeth A. Jarratt of Bedford County and her husband George S. Jarratt.
22. Acts of 1839-40, Chapter 143, permitted the county trustees of Bedford, Rutherford, and Davidson counties to demand and receive from the Nashville, Murfreesboro, and Shelbyville Turnpike Company such monies as each may be entitled to get from the investment of the internal improvement funds of these counties in the stock of the said company. The trustees were required to apportion these funds among the common public schools of each county according to the scholastic population.
  23. Acts of 1843-44, Chapter 163, Section 5, directed the surveyor of Bedford County to take the books and papers out of the office of the late surveyor of the second district and certify them where of occasion arose. Such certification shall be valid to support the same in any court of law.
  24. Acts of 1853-54, Chapter 73, provided that all the entries in the books of the entry taker of Bedford County are validated and to the same extent as if they were made by the regular entry taker. This act then abolished the office of entry taker in the county. The county register shall take charge of all the books and records and discharge all the duties of the entry taker then required by law to be performed. The register shall keep separate books for the entry taker's offices.
  25. Private Acts of 1867-68, Chapter 46, created the agricultural society for Bedford County with an authorized capital of \$20,000, divided into \$50.00 shares. The society would be located near or in Shelbyville and several commissioners are named in the act to open books for the subscription of stock in the society. The commissioners were empowered to make rules and regulations for the society's conduct, to sponsor fairs and exhibitions, and to promote agriculture, mechanics, dairy products, etc. The commissioners named were William Little, James S. Newton, Anderson S. Wehle, Dr. William H. Christopher, Thomas Tompkins, Junior, William M. Goggin, Wilston M. Gill, Rufus A. Caldwell, Col. Robert Terry, Joshua R. Hin, William J. Shafner, Alex Cartnell, William A. Allen, W. W. Summers, L. P. Fields, John Thomas, James M. Isaner, Joseph Kelly, Thomas Ogilvie, George W. Bell, William Taylor, J. W. Maxwell, Thomas H. Caldwell, James L. Scudder, Robert Frinham, William Cowan, and Robert Sutton.
  26. Private Acts of 1868-69, Chapter 46, Section 53, amended Private Acts of 1867-68, Chapter 46, above, creating the agricultural society of Bedford County, by increasing the authorized capital of the society to \$50,000 and granting permission to it to own, and hold, up to 15 acres of land.
  27. Public Acts of 1875, Chapter 48, Section 4, allowed the county court of Bedford County to elect a notary public for the town of Wartrace which would be in addition to the number now authorized by law.
  28. Public Acts of 1897, Chapter 124, was the harbinger of the present state acts establishing the high and low salary ranges for various county offices according to the population of the county. The act deprived the county officials of their fees, although their salaries would continue to come from them, and placed all of them on a salary to be paid monthly out of regular county funds. Reports stating the amount of fees were required to be filed and the act contains many features of the current laws on that subject. This particular act was declared unconstitutional in *Weaver v. Davidson County*, 104 Tenn. 315, 59 S.W. 1105 (1900).
  29. Private Acts of 1917, Chapter 196, provided that the county court of Bedford County, using the population figures of the 1910 Federal Census, may elect females over the age of 21, and otherwise qualified, who were citizens of the county, to the office of notary public, possessing the same powers and obligations as any other notary. They shall execute the same bond, take the same oath, perform the same duties, and be subject to the same limitations as others in like offices.
  30. Private Acts of 1917, Chapter 451, placed a lien upon any lot of ground, or tract of land, upon which a well may be bored, or dug, under a contract with the owner thereof, in favor of the one so doing this work until such time as the contract price is paid in full. The lien provisions would include all lands of, and work for, married women as well and would be enforced as other liens were enforced under the law.
  31. Private Acts of 1935, Chapter 71, removed all the disabilities of infancy from Mrs. Zella B. Riddle and gave her the authority to conduct her affairs in the same manner as any adult male.
  32. Private Acts of 1935, Chapter 96, also removed the disability of minority from Paul Scott Welch, then 19 years of age, so that he may conduct all matters of business as if he were 21 years of age or older.
  33. Private Acts of 1935, Chapter 594, removed the minority of William Joseph Hale, of Bedford County.

34. Private Acts of 1972, Chapter 359, would have repealed Private Acts of 1955, Chapter 398 (published herein), dealing with the automobile racing commission, but was rejected or disapproved at the local level by the quarterly county court and never became effective.

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