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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.

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Sincerely,

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# Administration - Historical Notes

## **County Clerk**

The following acts once affected the office of county clerk in Bledsoe County. They are included herein for historical purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1827, Chapter 54, declared it to be lawful for the county court clerk of Bledsoe County to keep his office at his own house provided that he shall not reside more than one mile from the courthouse.
2. Private Acts of 1857-58, Chapter 124, stated that the clerks of the county courts of Marion and Bledsoe counties shall make out and hand over to the tax collector of Sequatchie County a list of the taxes for the year 1858 which have been levied in the fractions of those counties which have now become part of Sequatchie County.

## **County Legislative Body**

The following acts once applied to the quarterly court or the county legislative body of Bledsoe 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 1808, Chapter 9, declared that the court of pleas and quarter sessions of Bledsoe County would meet on the first Monday in January, April, July, and October. The court was made a part of the Hamilton District and was required to send two jurors to the superior court of that district.
2. Acts of 1808, Chapter 53, set the terms of the court of pleas and quarter sessions in Bledsoe and Rhea counties, starting in Bledsoe on the first Monday in February, May, August, and November. This act would not be effective in Rhea County until after the next term of court.
3. Acts of 1809, First Session, Chapter 93, scheduled the opening dates of the terms of the courts of pleas and quarter sessions for every county in the state. Bledsoe County Court was still scheduled for the first Monday in February, May, August, and November.
4. Acts of 1817, Chapter 138, rescheduled the opening dates of some of the quarterly county courts in the district, including Bledsoe County, which would convene on the second Monday in January, April, July, and October.
5. Private Acts of 1819, Chapter 160, Section 4, changed the terms of the quarterly courts in several of the counties with Bledsoe County being changed to the second Monday in February, May, August and November.
6. Public Acts of 1827, Chapter 34, changed court terms for the courts of pleas and quarter Sessions of several counties, among which was Bledsoe County, whose court would meet hereafter on the fourth Monday in February, May, August, and November.
7. Private Acts of 1829-30, Chapter 264, allowed the justices of the peace of the court of pleas and quarter sessions of Bledsoe and Marion counties, a majority being present, if they should deem it expedient, on the first day of the first term of each year, to select three of their own number by ballot to hold the courts of that year each month under the same rules and regulations as other courts of like manner were being held.
8. Acts of 1837-38, Chapter 83, repealed Sections 3 and 4 of Private Acts of 1827, Chapter 34.
9. Acts of 1907, Chapter 367, created the position of county judge in Bledsoe County, published herein, in Sections 6 and 7 provided that the county court to be held by the county judge would meet on the first Monday of every month and continue in session until the business of the court was completed, and the court meeting quarterly would convene on the first Monday in January, April, July, and October.
10. Private Acts 1947, Chapter 595, created three additional offices of justice of the peace for the incorporated town of Pikeville in Bledsoe County, making a total of four in that city. Wilder Farmer, W. L. Tollett, and R. S. Evans are appointed under the act to fill the said offices until their successors are elected at the next general August election for regular terms.
11. Private Acts of 1955, Chapter 354, stated that in Bledsoe County, identified by the use of the 1950 Federal Census figures, the justices of the peace will receive a per diem of \$10.00, and an expense allowance of \$5.00 for every day of attendance at the quarterly court. This act was rejected by the quarterly court and therefore never became a law.
12. Private Acts of 1967-68, Chapter 375, provided that justices of the peace in Bledsoe County,

would be paid \$15 per day for each days attendance upon the sessions of the quarterly court but no justice shall be entitled to more than one days pay at each session. No mileage allowance, or expense allowance, was mentioned in this act which was properly ratified by the quarterly court.

### **County Mayor**

The references below are of acts which once applied to the office of county judge, or county executive in Bledsoe 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 1907, Chapter 367, as amended by Private Acts of 1921, Chapter 898, Private Acts of 1925, Chapter 479, and Private Acts of 1933, Chapter 83, established the office of county judge in Bledsoe County for a term of eight years and a salary of \$300 per year paid quarterly. This act was repealed by Private Acts of 2002, Chapter 156.
2. Private Acts of 1911, Chapter 92, required the county judge to keep a county warrants paid book, school warrants paid book, and a road warrants paid book. All such warrants were entered in when accepted from the county treasurer. The judge caused all county officials collecting or receiving fees or disbursing county revenue to make settlements and reports monthly, quarterly and annually in a well-bound book for that purpose. The county judge received a fee of ten cents for each warrant, settlement, and report so entered and was paid quarterly, after furnishing the county superintendent and county treasurer a certificate. This act was repealed by Private Acts of 2002, Chapter 156.
3. Private Acts of 1921, Chapter 898, amended Acts 1907, Chapter 367, Section 5, by entering a qualification that the county judge be a regularly licensed lawyer.
4. Private Acts of 1925, Chapter 479, repealed Private Acts of 1921, Chapter 898, which required the county judge of Bledsoe County to be a regular practicing attorney.

### **County Register**

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

1. Public Acts of 1827, Chapter 4, provided that a register for Bledsoe County would be appointed by both houses of the general assembly who would hold office during good behavior and have his office at Sparta for the Mountain District. The office would be operated under the same rules and regulations as the other register's offices were being operated. All land entered, or hereafter to be entered, in Franklin, Warren, Marion, Bledsoe, White, Overton, Fentress, and Jackson counties, shall be registered in the Mountain District.

### **General Reference**

The following private or local acts constitute part of the administrative and political history of Bledsoe 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 1809, First Session, Chapter 88, appointed John Tollitt, John Narrimore, Michael Rawlings, John Anderson, William Robertson, James Standifer, and James Coulter, as commissioners whose duty it was to select a seat of justice for Bledsoe County as near the center of the county as possible, bearing a water supply in mind, and when the site was determined, they would proceed to acquire 30 acres and on it lay out the town with proper streets, and alleys, leaving one acre for the public square. The lots would be advertised for sale and the proceeds used to build a courthouse, prison, and stocks on the public square. If the funds were insufficient to accomplish these objectives, a tax could be levied to do so. The commissioners were charged to keep a good account of all the money.
2. Acts of 1813, Chapter 14, directed the sheriff of Bledsoe County to hold an election for the voters to select a county seat, either at Madison where the same was now located, or at a site somewhere north of a line between Phillip Thurman's and John Hunter's plantations, crossing the Sequatchie Valley at right angles. If this site were selected by a majority of 50 votes, then the act named John Skillern, Jesse McKinney, Reuben Brown, Charles Hutchison, Joseph McReynolds, Jesse Walker, and Alex Lamb as commissioners to select a site of 30 acres, acquire the same, lay off the town with streets and alleys, leaving one acre for the public square on which would be built the courthouse, prison, and stocks, and which town would be called Pikeville. The lots were to be sold and the public buildings erected out of the proceeds. If these funds were not enough, a tax could be levied for the remainder. Contracts could be let for the accomplishment of these directors. Phillip Thirman, William Robertson, James Standifer, Jacob Meek, and James Devers would manage and supervise the above election. This act was repealed by Acts of 1815, Chapter

89.

3. Acts of 1815, Chapter 89, described the boundaries within which the seat of justice for Bledsoe County would be permanently located. Timothy Hixon, John Douthet, William Christian, Eli Thurman, Aquilla Johnson, Joseph Peters, and Adam Sherrill are appointed commissioners to select a site for public square and to exercise the powers and discharge the duties in the same manner described in the repealed act, above, except that they were required to make a \$6,000 bond and be sworn. When the courthouse was completed, the courts were instructed to adjourn to it. This act repealed Acts of 1813, Chapter 14.
4. Acts of 1815, Chapter 144, required the commissioners appointed under the 1813 Act to lay out the county seat, and do other things related thereto, shall lay before the county court a fair statement of their time spent and of their services performed pursuant to their mandate and the county court shall allow them reasonable and fair compensation for their services. The commissioners presently appointed to accomplish the same results shall also lay before the court a statement of their services when their task is completed for which they also shall be paid.
5. Acts of 1815, Chapter 160, stated in the preamble that Alexander Coulter, one of the commissioners named to select a site for the county seat did convey to the commission 40 acres of his land when the commission selected the same for the site, on which lots were laid out and sold and a town was built for the county seat of Bledsoe County, but the general assembly of the state has seen fit to remove the county seat to another place, now, the quarterly court may levy a tax, if it sees fit, each year to raise funds to pay Alexander Coulter a reasonable sum for his forty acres of land.
6. Private Acts of 1819, Chapter 14, authorized the county court of Bledsoe County to dispose of the courthouse, prison, and public square in the said county located in the town of old Madison in any manner they may consider to be proper for the county, or reconvey the same back to the person who bestowed the land for the purpose of erecting the said town as aforesaid.
7. Private Acts of 1823, Chapter 95, appointed Charles Therrell, Thomas C. Pile, and George Vaughn, to lay off and establish a town within half a mile of Tollett's Mill in Bledsoe County which shall consist of no more than twenty lots and shall be called by the name of Iredill.
8. Public Acts of 1825, Chapter 285, allowed Robert Porter, the entry taker for Bledsoe County, to keep his office at his own house any law to the contrary notwithstanding.
9. Public Acts of 1825, Chapter 328, provided for the relief of James Wilson for his service in running and marking the county line between Rhea and Bledsoe counties.
10. Private Acts of 1831, Chapter 161, directed the county trustee of Bledsoe County to file in his office, the claim of Daniel Riggle of \$125.50, for keeping John Holeman eleven months in the Marion County jail.
11. Private Acts of 1832, Chapter 101, Section 2, dissolved the bonds of matrimony between Nancy Close and her husband Samuel S. Close.
12. Private Acts of 1833, Chapter 218, dissolved the bonds of matrimony between Sally Moore and her husband Nimrod Moore.
13. Acts of 1843-44, Chapter 152, Section 2, disposed of the \$2,000 heretofore given to Bledsoe County to improve the Sequatchie River which was a part of the \$100,000 set aside for the rivers of East Tennessee by directing that amount be invested in some work of interval improvement in Bledsoe County as roads, rivers, common schools, etc.
14. Public Acts of 1897, Chapter 124, fixed the salaries of various county officials, named therein, according to the population figures of the counties as they were determined by the 1890 census, and which stripped these county officers of the fees of their offices, making them the property of the state, although this act was declared to be unconstitutional in the case of Weaver v. Davidson County, 104 Tenn. 315, 59 S.W. 1105 (1900), it nevertheless served in many aspects as a model for the salary acts which followed.
15. Private Acts of 1935, Chapter 282, removed the disabilities of minority from William Max Taylor of Bledsoe County, Tennessee, granting him the right to conduct himself as an adult in all respects.
16. Private Acts of 1935, Chapter 818, amended Section 1, Private Acts of 1911, Chapter 96, by annexing some areas to the city of Pikeville as they were described therein. Chapter 96 was the charter of Pikeville as it then existed, which was repealed by Private Acts of 1939, Chapter 575.
17. Private Acts of 1939, Chapter 344, created a three member board of county commissioners, one from each civil district, to serve two year terms as elected by the voters of the district. C. F. Debord, Hayne Roberson, and Grover Ault were named under this law to serve in these positions

until their successors could be elected. Vacancies would be filled by the remaining two commissioners unless they fail to agree on someone when a special election will be held to fill the post. The commissioners must meet all qualifications, as stated, be sworn, and execute performance bonds. The chairman was to be paid \$600.00 per year, and the members \$100.00. They would meet regularly on the first Monday in each month and on special occasions when called. The powers and duties are pronounced in the act, and thirty-eight special duties of the chairman are listed, plus he would succeed to all the responsibilities of the county judge. The county judge would continue as such but only in that capacity. This act was repealed by Private Acts of 1943, Chapter 93.

18. Private Acts of 1943, Chapter 93, repealed in its entirety Private Acts of 1939, Chapter 344, which created a board of county commissioners for Bledsoe County.
19. Private Acts of 1943, Chapter 361, recited in its preamble that there was a balance of \$914.20 in the "Old Age Fund" from the Beer Tax; \$111.34 in the Judgement Fund; \$1,728.04 in the Refinancing Fund; and \$937.18 in the fund to pay for the heating plant at Bledsoe County High School, and that the County owed \$914.20 to Eastern State Hospital for care of some patients there. This act authorized the transfer of \$914.20 out of the Old Age Fund to the general fund to be paid to Eastern State Hospital; \$111.34 from the Judgement to the County Fund; \$1,728.04 from the Refinancing Fund to the County Fund and \$837.18 from the special school fund to the general school fund.
20. Private Acts of 1945, Chapter 424, stated that John Wenton Putnam was adopted son of Judge John H. Putnam, of Bledsoe County, now deceased, was 18 years of age and of sufficient good judgement to handle his own affairs which included a sizeable inheritance and several properties. His guardian and the executor of the judge's will recommend that action be taken to remove his minority which this act promptly does.
21. Private Acts of 1972, Chapter 235, transferred all the judicial powers, duties, authorities, jurisdiction and functions presently exercised by the county judge of Bledsoe County, including juvenile jurisdiction, to the court of general sessions. The remaining office of the county judge is redesignated as the "County Administrator of Bledsoe County" who would serve a four year term beginning on the effective date of this act. The administrator was empowered to succeed himself in office and exercise all the administrative powers of the county judge. The act amended Private Acts of 1921, Chapter 363 and repealed Acts of 1907, Chapter 367, which created the office of county judge. The secretary of state states that this act was not acted on by the quarterly court of Bledsoe County prior to the publication of the 1972 volume of Private Acts but the act itself provides that it was not to become effective unless approved in a referendum vote by the people as stated in Section 4.

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