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# Administration - Historical Notes

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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](http://www.ctas.tennessee.edu)

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# Administration - Historical Notes

## **Budget System**

The following acts once created a budgeting system for Crockett County, but they have been specifically repealed or superseded by current law. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1937, Chapter 54, created a Budget System for Crockett County. The Act provided for the Budget Committee of Crockett County to complete a plan of all proposed expenditures and all estimated revenues for the County for the ensuing appropriation year. A brief synopsis of the budget would be published in a newspaper of general circulation in Crockett County and after a public hearing had been held on the budget the Budget Committee was required to submit the budget to the Quarterly County Court for adoption of said budget. Any violations of the provisions of this Act would subject the violator to a fine of not less than one hundred dollars (\$100), nor more than five hundred dollars (\$500) or imprisonment not to exceed one (1) year or both. This Act was repealed in its entirety by Private Acts of 1937, Chapter 804.
2. Private Acts of 1937, Chapter 804, repealed in its entirety, Private Acts of 1937, Chapter 54, above, which had set up a Budget System for Crockett County.

## **County Clerk**

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

1. Private Acts of 1919, Chapter 290, made women over twenty-one (21) years of age and residents of Crockett County eligible to be appointed as Deputy County Court Clerks, and as such would be vested with all the rights, powers, duties, and obligations granted to any other Deputy County Court Clerk.
2. Private Acts of 1933, Chapter 816, fixed the compensation of the County Court Clerk for Crockett County. The County Court Clerks would receive three thousand dollars (\$3,000) annually and any excess fees received in their offices over the three thousand dollars (\$3,000) were to be turned over to the County Trustee and put into the public treasury for the said County. If the fees received in the County Court Clerk's office were less than three thousand dollars (\$3,000), than the compensation of the County Court Clerk would be only the amount of fees collected by said office.

## **County Legislative Body**

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

1. Private Acts of 1929, Chapter 259, required the Justices of the Peace in Crockett County to file reports with the County Court Clerk's office of all lands and real estate situated in their respective civil districts and/or incorporated towns together with a list of the names of all people due to work on the public roads in their district or town and the names of all persons due to pay poll taxes in their district or town. The first list was to be filed in 1929, and every two (2) years thereafter. The compensation to be received by the Justice of the Peace was five (5¢) cents for every parcel of real estate on the list and two (2¢) cents for each name on the list.
2. Private Acts of 1955, Chapter 250, would have set the compensation of the Justices of the Peace in Crockett County at five dollars (\$5.00) per day plus mileage for their attendance at sessions of the Quarterly County Court. This Act was rejected by the Quarterly County Court of Crockett County and never became a law.

## **County Mayor**

The references below are of acts which once applied to the office of county judge, or county executive in Crockett 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 1856, Chapter 253, created the office of County Judge for all the counties in the State. The County Judge would be elected by the people for four (4) year terms, commissioned as all other judges in the State and subscribe to an oath of office. The County Judge would preside over the Quarterly County Courts, which were abolished in this Act. All jurisdiction relating to estates and their administration was transferred from the County Courts and conferred upon the County Judge. In addition, the Judge would also be the accounting officer and general agent of the county, and his duties, as such, were enumerated in the Act. This Act was short in duration, being repealed by Acts of 1857-58, Chapter 5, but even so it became a model for many

subsequent laws on this subject.

2. Public Acts of 1857-58, Chapter 5, repealed in its entirety, Private Acts of 1856, Chapter 253, above, which had created the office of County Judge.
3. Private Acts of 1927, Chapter 609, created the office of County Judge and abolished the office of Chairman of the Court of Crockett County. The Act set out the qualifications for the position of County Judge and enumerated the Judge's duties as accounting officer and fiscal agent of the County. H. H. Edenton, of the City of Alamo in Crockett County was appointed the first County Judge and would serve in this capacity until September 1, 1928. Edenton's successor would serve six (6) years and the following Judge eight (8) years; and thereafter every eight (8) years a County Judge would be elected. The Judge would preside over the regular meetings of the Quarterly County Court and have the same jurisdiction and power once held by the Chairman of the County Court. This Act was repealed by Private Acts of 1941, Chapter 515.
4. Private Acts of 1933, Chapter 687, amended Private Acts of 1927, Chapter 609, Section 5, above, and authorized the County Judge to employ auditors and accountants, whenever necessary, to audit and check all branches of the financial affairs of the County including all county offices and the Justices of the Peace. Further, the Judge was also authorized to employ a Physician to give medical treatment to the inmates of the Poor House, and the prisoners in the county jail who could not afford a doctor. The Judge was further constituted the Purchasing Agent of the County to acquire supplies and equipment as needed. The expenses incurred hereunder were to be paid by warrant of the County Judge drawn on the county account. This Act was repealed in its entirety by Private Acts of 1937, Chapter 53.
5. Private Acts of 1937, Chapter 53, expressly repealed Private Acts of 1933, Chapter 687, above, and withdrew from the County Judge all the rights, powers, privileges, and duties conferred upon the County Judge in said 1937 Act.
6. Private Acts of 1937, Chapter 60, amended Private Acts of 1927, Chapter 609, above, by striking the sentence abolishing the Chairman of the County Court in Section One; removing the authority conferred upon the County Judge to perform the duties of the County Chairman as set out in Section 4; deleting entirely Sections 5, 6, 8, 9, and 11; terminating and withdrawing all power and authority conferred by the 1927 Act upon the County Judge; withdrawing the powers granted to the County Court in Section 9; and by forbidding the County Judge to issue any warrants for his salary and the County Court to pay him. This Act was expressly and entirely repealed by Private Acts of 1939, Chapter 142.
7. Private Acts of 1937, Chapter 130, restored the office of County Chairman which had previously been abolished. The County Chairman would be elected every year to a one (1) year term by the Quarterly County Court. The Chairman would do all things as required by law of the County Chairman and would be compensated as the Quarterly County Court decided. The Chairman was given authority to issue warrants on the Trustee to pay obligations of the County. This Act was expressly repealed by Private Acts of 1939, Chapter 140.
8. Private Acts of 1937, Chapter 131, expressly repealed Private Acts of 1927, Chapter 609, above, and abolished the office of County Judge. Also, all the powers, duties, compensation of said office were withdrawn. This Act was specifically repealed by Private Acts of 1939, Chapter 141.
9. Private Acts of 1937, Chapter 203, amended Private Acts of 1937, Chapter 130, above, and required the Chairman of the County Court to make bond in the amount of one thousand dollars (\$1,000) and to subscribe to an oath of office. This Act was repealed by Private Acts of 1939, Chapter 143.
10. Private Acts of 1937, Chapter 441, amended Private Acts of 1927, Chapter 609, above, by deleting those parts granting to the County Judge the duties and responsibilities of the County Chairman found in Sections 1 and 4, of the 1927 Act and by deleting all of Section 5, a part of Section 6, all of Section 8, part of Section 9, and all of Section 11 of the 1927 Act. The only powers remaining for the County Judge were those named in Section 6 of the 1927 Act which involved jurisdiction and power over all testamentary and administrative matters. This Act was expressly repealed by Private Acts of 1939, Chapter 144.
11. Private Acts of 1939, Chapter 140, repealed Private Acts of 1937, Chapter 130, above, which had restored in Crockett County the office of County Chairman.
12. Private Acts of 1939, Chapter 141, repealed entirely Private Acts of 1937, Chapter 131, above, which had abolished the office of County Judge which office had been created under Private Acts of 1927, Chapter 609.
13. Private Acts of 1939, Chapter 142, repealed Private Acts of 1937, Chapter 60, above, which

- purported to amend Private Acts of 1927, Chapter 609, which had created the office of County Judge and abolished the office of Chairman of the County Court.
14. Private Acts of 1939, Chapter 143, expressly and entirely repealed Private Acts of 1937, Chapter 203, above, which had amended Private Acts of 1937, Chapter 130, which act had restored in Crockett County the office of Chairman of the County Court.
  15. Private Acts of 1939, Chapter 144, repealed Private Acts of 1937, Chapter 441, above, which had amended Private Acts of 1927, Chapter 609, in the respect of leaving some powers with the County Judge in certain matters.
  16. Private Acts of 1939, Chapter 246, amended Private Acts of 1927, Chapter 609, above, and deleted all of the passages of said amended Act which abolished the office of County Chairman. The purpose of this amending Act was to restrict the powers and jurisdiction of the County Judge of Crockett County to matters of which he was given jurisdiction expressly or by necessary implication by Private Acts of 1927, Chapter 609. It appears this 1939 Act envisioned a County Judge and Chairman for the County Court for Crockett County.
  17. Private Acts of 1941, Chapter 515, again repealed Private Acts of 1927, Chapter 609, which had created the office of County Judge and abolished the office of Chairman of the County Court. This Act was to take effect at the conclusion of the term of the then County Judge, namely at midnight on August 31, 1942.
  18. Private Acts of 1974, Chapter 295, would have set the term of the Chairman of the Quarterly County Court of Crockett County at two (2) years from the date of his election and would apply first to the person so selected at the January term in 1975. This Act was rejected at the local level of government and never became law.
  19. Private Acts of 1977, Chapter 85 amended Private Acts of 1939, Chapter 246 the puprose of the 1977 act was to clarify the duties of the chairman pro tempore of the county court. The 1939 act, however, had been abolished in 1941. Thus the 1974 act should have never been operative. It was, however, properly ratified and approved in accordance with its provisions on May 20, 1977.

#### **County Register**

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

1. Private Acts of 1933, Chapter 814, established the salary of the Register of Crockett County at two thousand five hundred dollars (\$2,500) annually. If the fees received in the Register's office exceeded the amount of the stated salary, the excess would be paid into the county treasury; if the fees were less than the stated annual salary, then that lesser figure would be the salary of the Register for that particular year.

#### **County Trustee**

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

1. Private Acts of 1933, Chapter 815, set the annual salary of the County Trustee in Crockett County at three thousand dollars (\$3,000). If the fees received in the office of the County Trustee exceeded the amount of the stated annual salary, the Act required the excess to be paid over to the county treasury; if the fees received, were less than the stated annual salary, then the amount of the fees collected in the office would be the salary for that particular year.

#### **Obion and Forked Deer River - Flood Control and Drainage Improvements**

The following acts, which were not codified, once affected flood control and drainage improvements in the Obion and Forked Deer River basin, and are included herein for historical purposes.

1. Public Acts of 1972, Chapter 807, added a new section to Public Acts of 1959, Chapter 129, providing the department of agriculture with concurrent authority and responsibility for maintenance of completed channel improvements for the Obion and Forked Deer Rivers. This act was repealed twice, first by Public Acts of 1973, Chapter 38, and again when the 1973 act was repealed by Public Acts of 1974, Chapter 415.
2. Public Acts of 1973, Chapter 38, amended Public Acts of 1959, Chapter 129, and Public Acts of 1963, Chapter 149, to transfer the authority and responsibility for the flood control and drainage improvements for the Obion and Forked Deer Rivers from the department of highways and public works to the department of agriculture. This act was repealed by Public Acts of 1974, Chapter 415.

#### **Purchasing**

The following acts once affected the purchasing procedures of Crockett County, but are no longer operative. Also referenced below are acts which repeal prior law without providing new substantive

provisions.

1. Private Acts of 1927, Chapter 783, authorized Crockett County to pay banks, persons, firms and corporations six percent (6%) interest on county warrants, county school warrants, county highway or road warrants from the date of issuance to the date of payment, the face value having already been paid from the proceeds of a prior bond issue. The Quarterly County Court was required to levy a sufficient tax on all taxable property in Crockett County to raise funds to pay the said interest. This bill also validated a County Court resolution which authorized the same type of payment.
2. Private Acts of 1933, Chapter 37, removed the disability of minority from Mrs. Dixie O. Hicks, of Crockett County, and conferred upon her all the rights and privileges of an adult, including the right to execute a deed of conveyance of real property and to bind herself as an adult on all her contracts.
3. Private Acts of 1935, Chapter 434, removed the disability of minority from Frances Cole of the town of Friendship, in Crockett County, and conferred upon her all the rights, privileges, and obligations of an adult.
4. Private Acts of 1937, Chapter 806, created a purchasing commission for Crockett County, this act was repealed by Private Acts of 1995, Chapter 45.
5. Private Acts of 1943, Chapter 145, authorized Crockett County to invest all or part of the County's sinking fund in bonds of the United States. Said bonds were required, on their face, to provide for redemption at not less than face value at a time not in excess of twelve (12) months from the date of issue.
6. Private Acts of 1984, Chapter 220, attempted to direct the Crockett County Election Commission to place on the ballot at the regular election in August, 1984, a question to the voters concerning their desire for Crockett County to expend approximately one hundred fifty thousand dollars (\$150,000) for the funding of a solid waste disposal program, which would cost the residents of the county a rate increase of approximately four cents (4¢) annually on each one hundred dollars (\$100) worth of taxable property in the County. This Act was not approved by the appropriate authorities and never became a law.

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