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Administration - Historical Notes

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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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County Attorney

The following acts once affected the appointment, election, or office of the county attorney in Williamson County. These acts are included for historical reference only. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1941, Chapter 179, created the office of County Attorney in Williamson County who would be appointed for a one year term by the Quarterly County Court. The salary, fixed by the Court, could be no less than \$600 nor more than \$1,200 per annum, nor could it be increased or diminished during the term. The County Attorney must transact all the legal business of the county both in and out of court. All actions heretofore taken to appoint Tyler Berry, Jr. as the County Attorney were confirmed and ratified. This Act was repealed by Private Acts of 1943, Chapter 355 and Private Acts of 1967-68, Chapter 362.
2. Private Acts of 1943, Chapter 237, directed the County Trustee of Williamson County to deliver the delinquent tax list of the county to the County Attorney whose duty it now was to prepare and file all suits for their collection in the manner prescribed by law. The salary of the County Attorney would not be increased and all attorney's fees authorized to be collected under the law would be paid into the general fund of the county. This Act was repealed by Private Acts of 1967-68, Chapter 362.

Private Acts of 1943, Chapter 355, created the position of County Attorney in Williamson County who would be appointed for a two year term, and at a salary fixed by the Quarterly Court which could not be changed during the term. The County Attorney was at liberty to continue practicing law devoting only such time as was necessary to this position. All actions previously taken to appoint Tyler Berry, Jr., to the position were ratified. This Act was repealed by Private Acts of 1967-68, Chapter 362.

County Clerk

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

1. Acts of 1825, Chapter 195, released Edward G. Clouston from the payment of \$50 as a merchant's license which sum was paid by him to sell goods for only a few days after the expiration of the license. The County Court Clerk was directed to refund the money to Clouston.
2. Acts of 1881, Chapter 80, released the sureties on the official bond of William Cummins, deceased, the former County Court Clerk of Williamson County, and discharged them from all liabilities to the State. Any lawsuit now pending against them in their capacity as sureties would be dismissed as to the State.
3. Private Acts of 1935, Chapter 661, set the annual salary of the County Court Clerk at \$3,000 and placed Williamson County in Class 3A.
4. Private Acts of 1982, Chapter 278, gave probate authority to the County Clerk. This act was repealed by Private Acts of 1987, Chapter 16.

County Legislative Body

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

1. Acts of 1799, Chapter 3, created Williamson County and made it a part of the Mero District and scheduled the terms of the Court of Pleas and Quarter Sessions to begin on the first Monday in February, May, August, and November, at Franklin. The Justices were empowered to lay a tax on taxable property.
2. Acts of 1803, Chapter 39, regulated the times for holding the Courts of Pleas and Quarter Sessions in the district of Mero. In Williamson County the court terms were scheduled to begin on the second Monday in January, April, July and October.
3. Acts of 1809, Chapter 93, fixed the opening dates for the terms of the Courts of Pleas and Quarter Sessions for every county in the State. The Court for Williamson County would continue to meet on the second Monday in January, April, July and October.
4. Acts of 1813, Chapter 134, rescheduled the term of the Williamson County court to convene on the first Monday of January, April, July and October.

5. Acts of 1817, Chapter 128, made it lawful for the Justices of the Peace, a majority being present, of the counties of Davidson, Smith, Franklin, Rutherford, Maury, Lincoln, Giles, Overton, Bedford, Wilson, Hickman, Sumner, Stuart, Humphreys, Williamson, Jackson, White, Montgomery, Warren, Robertson, and Dickson, on the first day of the first term in the year to lay a tax for additional compensation for jurors not to exceed fifty cents per day.
6. Acts of 1817, Chapter 138, fixed the terms of the Williamson County Court of Pleas and Quarter Sessions to open on the first Monday in January, April, July and October, which terms would continue for two weeks unless the business of the court were completed sooner.
7. Acts of 1829, Chapter 25, authorized the County Courts of all the counties to select three of their number to sit as a Quorum Court throughout the year with the same powers and privileges as are prescribed for the Quorum Courts in Rutherford County.
8. Acts of 1829, Chapter 102, added a provision for a three week session, if needed by the County Court.
9. Acts of 1835-36, Chapter 6, re-organized the County Courts which would meet on the first Monday in every month.
10. Acts of 1835-36, Chapter 71, provided that the Mayor of Franklin, in Williamson County, Tennessee, would have concurrent jurisdiction with Justices of the Peace in all causes of action of a criminal nature arising within the corporate limits of the city.
11. Private Acts of 1915, Chapter 58, established a per diem payment of \$2.50 for each day a Justice of the Peace attended a regular or special meeting of the Quarterly County Court and a mileage allowance of five cents per mile traveled in going and returning from residence to the Court House.
12. Private Acts of 1925, Chapter 345, empowered the County Court to permit by proper decree the encroachment by Guardians upon the corpus of the estates of their Wards for the Ward's support, education, and maintenance when the estate did not exceed \$1,000 in value. The Guardian must file a petition stating the essential facts, whereupon the Court would set a date for a hearing and informally investigate the facts and enter an order in the best interest of the ward. This Act was supplemental to other methods for encroaching upon the corpus of a ward's estate.
13. Private Acts of 1929, Chapter 612, amended Public Acts of 1925, Chapter 115, so that no member of the County Court would be eligible for election as a member of the Board of Education in Williamson County.
14. Private Acts of 1949, Chapter 86, changed the time for holding the Quarterly Court of Williamson County to the second Monday in January, April, July, and October.
15. Private Acts of 1957, Chapter 185, stated that Justices of the Peace in Williamson County attending the meetings of the Quarterly Court would be entitled to ten cents per mile traveled on the way from the home of the Justice to the Court House in Franklin but would be paid for only two days each term. No Justice residing within five miles of the Court House would be paid mileage. The per diem rate was set at \$10. This Act was rejected by the Quarterly court of Williamson County and never became an effective law under the Home Rule Amendment to the State Constitution.
16. Private Acts of 1963, Chapter 104, fixed a per diem rate of \$10 per day for each day a Justice of the Peace attended a regular or called session of the Quarterly Court plus five cents per mile traveled to and from their residence to the Court House. This Act was also rejected by the Williamson County Quarterly Court.
17. Private Acts of 1971, Chapter 27, established \$25 per day as the compensation of the Justices of the Peace of Williamson County for attending the regular and called sessions of the Quarterly court plus five cents per mile traveled each way in their journeys to those meetings. The Quarterly Court refused to approve this Act and thus rendered it null and void.

County Mayor

The references below are of acts which once applied to the office of county judge, or county executive in Williamson County. They are included herein for historical purposes only. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Acts of 1855-56, Chapter 253, provided for the election by the qualified voters of every county in the State a person learned in the law, to be styled the County Judge, who would hold his office for four years, and who would be sworn and commissioned as other Judges. The Quorum Courts were abolished and their duties assigned to the County Judge. The County Judge would exercise the

jurisdiction specified in the Act, preside over the County Court's meetings, be the accounting officer and general agent of the county, and be paid \$5 per day during the sitting of the monthly and quarterly courts. This Act was repealed by Acts of 1857-58, Chapter 5.

2. Acts of 1857-58, Chapter 38, re-established the position of County Judge in Davidson, Shelby, Knox, Montgomery, and Williamson County. A person, learned in the law, was to be elected by the qualified voters for a term of eight years. He would preside over the county court and have the same power and authority as the chairman of the county court.
3. Acts of 1875, Chapter 134, created the position of County Judge in Jackson and Cannon Counties, conferring upon them the jurisdiction of the County Judges of Davidson, Knox, Montgomery, Williamson, and Sumner Counties. Section 5 repealed the provision which allowed the Judges payment of \$5 per day during the sitting of the monthly and quarterly courts but placed a limitation of \$500 per year as the compensation of the Judges of the Williamson and Sumner County Courts.

County Registrar

The following acts once affected the office of county register in Williamson County, but are no longer operative.

1. Private Acts of 1935, Chapter 661, amended Section 10726 of the Code of Tennessee as that Section had application to Williamson County, by creating a population Class of 3A, and placing Williamson County in it. The Act then set up a schedule of annual salaries for county officials of the counties in that class. The register of Williamson County would be paid \$1,800 per year under that salary schedule. This Act was not intended to modify or repeal any private act applying to compensation.
2. Private Acts of 1947, Chapter 393, declared that in Williamson County the Register would be paid the sum of 50 cents for each discharge of soldiers and sailors of World War II recorded in the Register Register's Office. The County Judge was authorized and directed to pay to the Register out of the county treasury the costs of all discharges registered under this Act, provided that the service men themselves have not already paid.
3. Private Acts of 1953, Chapter 57, prohibited the Register of Williamson County from receiving instruments of conveyance of real property for registration unless the same bore a stamp or notation from the Tax Assessor's office reciting that the information the Assessor was to extract under this law from the conveyance had been noted. Mortgages, deeds of trust, or other like instruments were exempted.

County Trustee

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

1. Private Acts of 1935, Chapter 661, amended Section 10726, Code of Tennessee, as the same applied to Williamson County by creating a population Class of 3A, and establishing an annual salary schedule for the county officials in that Class. In Williamson County the Trustee would be paid \$3,000 annually under this law.

General Reference

The following private or local acts constitute part of the administrative and political history of Williamson 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 1799, Chapter 33, recited in the preamble that Abraham Maury had laid off a town on his own land on the Harpeth River and had asked for the town to be recognized, therefore, this town is hereby distinguished by the name of Franklin. Maury was required to file a plan of the town in the Clerk's office in Williamson County within six months after the passage of this Act. The Act names Abraham Maury, John Walthral, Joseph Porter, William Boyd, and David McEwing, as Commissioners, to regulate the said town.
2. Acts of 1804, Chapter 8, stated that all people bringing forward their claims to Davidson County which were due before the erection of Williamson County have the further time of twelve months from the passage of this Act to bring their claims forward for processing.
3. Acts of 1806, Chapter 20, provided for the Sheriff of Williamson County to hold an election at the Court House in Franklin beginning at noon on the first Monday in November to elect five Commissioners to regulate the city of Franklin who would select one of their number as Chairman

and then appoint a Treasurer, and a Clerk. The Commissioners had the authority to call on all able bodied inhabitants to work on the roads, to appoint overseers, and to accomplish similar acts to provide corporate services. The Commissioners were further empowered to levy a tax but the tax could not exceed the schedule stipulated in this statute.

4. Acts of 1806, Chapter 60, appointed Thomas Hardeman, Daniel Perkins, Henry Cook, David M'Ewen, and James Hicks, as Commissioners, to superintend the building of a brick Court House in Franklin. The Commissioners had the authority to let a contract to the lowest bidder after complying with the regulations governing the bid process, and the County Court was given the authority to levy a tax according to the scale of taxation stipulated in the Act to pay for the Court House. Provision was also made for selling the old court house.
5. Acts of 1809, Chapter 25, remarked in its preamble that divers citizens of Franklin in Williamson County had caused water to be piped into the town at their own expense, and it was clearly apparent that these citizens should be vested with the power to preserve, and to distribute the water. This act incorporated Robert P. Curran, Peasant Russell, Charles B. Neilson, John Sample, Charles Boyles, Ezekiel Graham, Richard Orton, James Hicks, Andrew Confort, Zachariah Drake, Samuel Crockett, Jacob Harder, William Hesse, Peter R. Booker, Andrew Johnson, David Squier, Abram Maury, Daniel Perkins, Thomas Masterson, Thomas McRory, Hinchy Pettway, and Charles McAlister, as the Franklin Water Company.
6. Acts of 1809, Chapter 99, stated that it appeared to the General Assembly that the Big Harpeth River was by no means a navigable river and the pretense of keeping it open had a tendency to discourage the erection mills and other works of utility which deprived the public of the benefits thereof; therefore, henceforth the Big Harpeth River in Williamson County would in no wise be deemed, considered, or kept open, as a public highway or navigable river in the counties of Williamson and Davidson.
7. Acts of 1809, Chapter 124, authorized the Justices of the Peace of the County Court of Williamson County to make such appropriation out of the county funds as to them seemed proper to defray the expense of the Franklin Water Company in conveying water through the streets of Franklin and to secure against injuries the water fountain which had recently been installed on the Public Square for the benefit of the people.
8. Acts of 1809, Chapter 127, averred that, since there were debts which were yet unpaid from the time of constituting Williamson County from Davidson County, the County Courts of the two counties had the authority to appoint Commissioners to ascertain the amount of claims due from the counties to individuals at the time Williamson became a County and to make such arrangements, or to lay such a tax, for the payment of these debts as might to them seem necessary.
9. Acts of 1813, Chapter 94, stated that the Harpeth River from Franklin to the mouth would hereafter be a public highway for the navigation by and for the use of the citizens. When any number of persons join together as a company and raise \$5,000 in capital they would be a corporation for the navigation of the said river. This Act repealed the Act encouraging the erection of mills on the Harpeth River in the counties of Williamson and Davidson, Acts of 1809, Chapter 99.
10. Acts of 1813, Chapter 95, appointed Charles McAlister, James Gordon, Robert P. Curran, Hinchey Pettway, and William Smith, as the managers of a lottery to raise up to \$3,000 for the paving of the main street and public square in Franklin in Williamson County.
11. Acts of 1815, Chapter 44, was the authority to hire inspectors of tobacco, hemp, flour, lard, butter, and other articles for exportation. It would be lawful to build and establish warehouses in the counties of Maury, Hickman, Humphreys, Lincoln, Montgomery, Giles, and Williamson.
12. Acts of 1815, Chapter 111, incorporated the city of Franklin under the Mayor-Alderman form of government, granting some items of specific authority to them, and providing for an annual election of seven Aldermen who would take office on November 1 of each year, and who would further select one of their number to serve as the Mayor.
13. Acts of 1815, Chapter 112, amended Acts of 1815, Chapter 111, so that if there was a vacancy in the office of Recorder, the Sheriff would notify those persons elected as Aldermen. Additional areas were added within the boundaries of the city.
14. Acts of 1817, Chapter 122, was the legislative authority for the Quarterly Court of Williamson County, a majority of the Justices being present, to dispose of surplus funds in the Trustee's hands by appropriating them to public works, by a loan at an interest rate not to exceed 6%, or in any other manner which to them seemed to be in the best interests of the county. The funds to be

- used in these ways did not include any which might have been paid in as fines.
15. Acts of 1819, Chapter 114, stated that William Eastin, formerly a resident of Davidson County, but now a resident of Williamson County obtained from the County Court Clerk of Davidson County a license to retain goods, wares, and merchandise in Davidson County for one year but had moved to Williamson County where he intended to resume his business. This Act validated this license for Williamson County until its expiration.
 16. Acts of 1820, Chapter 41, stated that Samuel F. Bittcock, of Williamson County, in consequence of extreme bodily infirmity, was unable to make a living for himself. This Act gave him the right to hawk, peddle, sell and exchange goods, wares, and merchandise in Williamson County without paying any tax for a license.
 17. Acts of 1823, Chapter 104, authorized Patsy Sleeker, wife of George Sleeker, to sue and be sued, to contract in her own name, to hold property in her name, and to sell and dispose of the same, in the same manner and to the same extent as if she had never been married to George, so long as she did not marry with another man during the natural life of George Sleeker.
 18. Acts of 1824, Chapter 33, named William G. Dickinson, William Smith, Thomas Hardiman, John S. Russworm, and Benjamin S. Tappin, as Trustees for a lottery to raise up to \$4,000 in funds with which to build a Masonic Hall in Franklin in Williamson County. The Trustees must enter into bond with the Chairman of the County Court in twice that amount. All the proceeds of the lottery were to be paid over to the Masons of Hiram Lodge #7. Details to be observed by the Trustees in the drawing for prizes and of paying over the prize money were incorporated into the Act.
 19. Acts of 1826, Chapter 172, was the authority for John P. Dix to hawk and peddle goods, wares, and merchandise in Williamson County without paying for a license.
 20. Acts of 1831, Chapter 43, 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 appropriated for the internal improvement of Middle Tennessee.
 21. Acts of 1832, Chapter 97, provided for the share of the internal improvement fund belonging to Sumner and Williamson County, as created in Acts of 1831, Chapter 43, Section 6, to be paid by the Cashier of the Bank of Tennessee to the Clerks of the County Courts of the above counties, for which the Clerks were to be held accountable as they would be for other funds.
 22. Acts of 1833, Chapter 55, was the authority for the President and Directors of the Union Bank of Tennessee to locate an office of the bank at Franklin in Williamson County under the same rules and regulations which established the Columbia office.
 23. Acts of 1833, Chapter 160, allowed Hartwell Miles, of Williamson County, to hawk and peddle goods within the bounds of the Congressional District composed of Williamson and Rutherford Counties without the necessity of having to obtain a license.
 24. Acts of 1833, Chapter 164, permitted Eli A. Seay, of Williamson County, to hawk and peddle in Rutherford and Williamson Counties without the necessity of obtaining a license.
 25. Acts of 1868-69, Chapter 44, incorporated the Williamson County Agricultural and Mechanical Joint Stock Association for 33 years, granting to it all the incidental powers of corporations of a similar nature. The corporation would hold property in the corporate name. Named in the Act as incorporators were John McGavock, James P. Johnson, M. F. DeGraffenried, J. L. Shy, W. S. Ewing, S. B. Rozell, John Bostick, O. J. Kennedy, S. B. Smith, F. M. Lavender, S. S. Mosely, and W. W. Courtney, plus their associates, successors and assigns. The corporation had the authority to establish a fairgrounds.
 26. Acts of 1881, Chapter 69, directed the State Comptroller to pay \$6,484; which was the amount of the judgment obtained against the State by Daniel B. Cliffe, of Williamson County.
 27. Acts of 1897, Chapter 124, established fixed annual salaries of county officials in the State according to the population class of the county in which they served, provided certain regulations concerning the filing of reports were observed. This Act also provided for the disposition of fees received by their offices. This Act was declared unconstitutional in *Weaver v. Davidson County*, 104 Tenn. 315, 59 S.W. 1105 (1900).
 28. Acts of 1903, Chapter 79, incorporated Franklin under a district Charter which provided for the government and control of that city under a Mayor-Aldermanic form of government.
 29. Private Acts of 1933, Chapter 803, removed the disabilities of minority from Geraldine Givens, who was born September 15, 1914, and who has been a lifelong resident of Williamson County.
 30. Private Acts of 1935, Chapter 579, emancipated Catherine Waldren Campbell, of Williamson

County, from her minority and its disabilities.

31. Private Acts of 1965, Chapter 117, was the enabling legislation for the governing body of Williamson County to adopt by reference the provisions of any building code, in whole or in part, provided at least three copies of the same were filed in the County Court Clerk's Office, and provided notice had been given as specified in the Act. Procedures for amending the Code, once adopted, were incorporated into the Act. The county governing body could create and fill the position of County Building Commissioner, setting the annual salary therefor. A five member Board of Adjustment, one member's term expiring each year, was organized to hear and grant requests for exemptions, interpret disputed questions of interpretations, and appeals from enforcement of the Code provisions. No penalty clauses could be adopted by reference. This Act was rejected by the Quarterly Court and consequently never became operative.

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